

COMPLAINT NUMBER	21/459
ADVERTISER	Chilly Box
ADVERTISEMENT	Chilly Box Facebook
DATE OF MEETING	15 October 2021
OUTCOME	Settled

Advertisement: The Facebook post by Chilly Box Factory Food Outlet Store shows four items advertised as "#NEWPRODUCTS". The caption states that the items are available at a "SUPER SAVER PRICE", lists the name and price of the four items and encourages users to "#TAG a friend and let them know about these AMAZING new products". The accompanying four images show each of the products, their name and price, and a red star saying "NEW".

The Facebook story by Chilly Box Factory Food Outlet Store shows a hand holding Ben & Jerry's Salted Caramel Core ice cream with a display of the product in the background. Text on the image states the name of the product and "Only \$7.99!! (That's half the price of supermarkets!!)".

The Chair ruled the Complaint was Settled.

Complaint: They are claiming half the price of the supermarket and pushing it as a a new daily special.

But it's there standard normal price

It's not half price of any local supermarket. In fact it's closer to the new world club card special this week. Of 9.99\$

The relevant provisions were Advertising Standards Code - Principle 2, Rule 2(b), Rule 2(d)

The Chair noted the complainant was concerned the advertisement was misleading as the price of the product was not half the regular price that it was available at supermarkets.

The Chair accepted the complaint to go before the Complaints Board to consider whether the Advertising Standards Code had been breached. As part of the self-regulatory process, Advertisers have the option of amending or removing their advertising to comply with the Advertising Codes.

Upon receipt of the complaint, the Advertiser amended the advertisement to say "That's almost half the price of supermarkets."

Given the Advertiser's co-operative engagement with the process and the self-regulatory action of amending the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled that the matter was Settled.

Chair's Ruling: Complaint **Settled**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.