



Ad Standards Community Panel  
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Ad Standards Limited  
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## Case Report

1. Case Number :	0294-20
2. Advertiser :	Domino's Pizza Enterprises Ltd
3. Product :	Food/Bev Venue
4. Type of Advertisement/Media :	Promotional Material
5. Date of Determination	7-Oct-2020
6. DETERMINATION :	Upheld - Modified or Discontinued

### ISSUES RAISED

AANA Food and Beverages Code\4.2 Must comply with QSRI  
AFGC - Quick Service Restaurant Initiative\QSRI 1.5 Product/vouchers at children's sporting events

### DESCRIPTION OF ADVERTISEMENT

This voucher features a black background with balls, the heading 'Hot shot sports award' on the image of a prize ribbon and states that the child has won 'One free large traditional pizza'.

### THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*This clearly breaches the Core Principles of the Quick Service Restaurant Initiative for Responsible Advertising and Marketing to Children. In particular Children's Sporting Events S1.5. Signatories must not give away food and/ or beverage products or vouchers to Children as awards or prizes at Children's sporting events unless those products meet the Nutrition Criteria. Under the AANA Food and Beverages Code, Section 4.2 Advertising or Marketing Communication for Food or Beverage Products by a Quick Service Restaurant must comply with Schedule 1 of the QSRI. Therefore the principle stated above applies to this company.*



*It is also clearly advertising or marketing to children according to the definitions contained in those codes as it is a voucher handed to a child to provide them with free food.*

*The nutrition criteria reference children's meals therefore a whole traditional pizza cannot reasonably be considered meeting criteria of a food that can advertised to a child.*

*If the AANA wants to truly protect children from junk food marketing then companies should not give vouchers for junk food to children. The public clearly knows that a pizza is not food that children should be encouraged to eat as part of a healthy diet. This is sending the wrong messages to our children who are participating in a healthy sporting activity.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*We refer to your letter dated 17 September 2020 enclosing a complaint received by Ad Standards in relation to a "Hot Shot Sporting Award" voucher for online redemption of one (1) free large traditional pizza from Domino's (Promotional Material).*

*Firstly, thank you for providing Domino's with the opportunity to respond to the complaint regarding the Promotional Material. Domino's takes its responsibility as an advertiser very seriously and encourages any feedback from the community to better understand and respond to any issues or concerns that may be raised in connection with our Promotional Material or advertisements.*

*Domino's response to the complaint considers the Promotional Material in light of the provisions contained within the AANA Code of Ethics (AANA Code), the AANA Food and Beverages Advertising and Marketing Communications Code (Food Code), the AANA Code for Advertising and Marketing Communications to Children (AMCC Code) and the Australian Quick Service Restaurant Industry Code for Responsible Advertising and Marketing to Children (QSRI Code), all together the "Codes".*

*Domino's entirely refutes any suggestion in the complaint or otherwise that the Promotional Material breaches the Codes.*

### *AANA Code of Ethics (AANA Code)*

*As requested in your letter, Domino's provides the following responses in respect of Section 2, specifically sections 2.1 to 2.6 inclusive, of the AANA Code.*

#### *Section 2.1 – Discrimination or vilification*

*Domino's does not believe that the Promotional Material portrays people or depicts material in a way which discriminates against or vilifies any person or section of a*



*community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.*

*Section 2.2 – Exploitative or degrading*

*Domino's does not believe that the Promotional Material employs sexual appeal which is exploitative or degrading of any individual or group of people in any manner whatsoever.*

*Section 2.3 – Violence*

*Domino's does not believe that the Promotional Material presents or portrays violence in any manner whatsoever.*

*Section 2.4 – Sex, sexuality and nudity*

*Domino's does not believe that the Promotional Material displays any sex, sexuality or nudity that is not only not sensitive to the relevant audience, but in any manner whatsoever.*

*Section 2.5 – Language*

*Domino's does not believe that the Promotional Material uses any inappropriate language whatsoever.*

*Section 2.6 – Health and safety*

*Domino's does not believe that the Promotional Material depicts any material contrary to prevailing community standards on health and safety.*

*Section 3 – Other Codes*

*Domino's has taken the liberty to review the Promotional Material in the context of Section 3 of the AANA Code.*

*Section 3.1 of the AANA Code provides that:*

*"Advertising or Marketing to Communications to Children shall comply with AANA's Code of Advertising & Marketing Communications to Children..."*

*Section 3.3 of the AANA Code provides that:*

*"Advertising of Marketing Communications for food or beverage products shall comply with the AANA Food & Beverages Advertising & Marketing Communications Code as well as to the provisions of this Code."*

*Application of Section 3 of the AANA Code to the Promotional Material*

*Domino's provide the following responses in respect of Section 3, specifically sections 3.1 and 3.3, of the AANA Code.*

*Section 3.1 – AANA Code for Advertising and Marketing Communications to Children (AMCC Code)*

*Domino's has considered the AMCC Code and submits that the Promotional Material does not satisfy the definition of "Advertising or Marketing Communication" under section 1.*



*The Promotional Material depicts a graphic medallion with the words “Domino’s XXXXXXXX Hot Shot Sporting Award”. The words “PRESENTED TO” appear underneath the medallion with a space to insert the name of the recipient of the award. The voucher may be redeemed for one (1) “Free Large Traditional or Value Pizza\* Pick Up” and is subject to the terms and conditions printed on the voucher itself and online (last updated 29 September 2020 <https://www.dominos.com.au/about-us/contact-us/terms-conditions>). The voucher is qualified by the asterisk (\*) which includes the disclaimer, “\*Conditions apply. Only available at Domino’s XXXXXX. Customisation may incur further charges as displayed in order basket. All offers not valid with any other coupon or offer. For more information on ingredient, gluten free, nutritional and allergen information & to see full terms and conditions visit [www.dominos.com.au](http://www.dominos.com.au).”*

*Domino’s notes that its online terms and conditions specify that users affirm they, “...are either more than 18 year of age, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties, set forth in these Terms & Conditions of Use...”.*

*Domino’s has not received a copy of the “photo supplied” with the complaint. Domino’s has however attached to this Response, a pro forma copy of the Promotional Material to which it believes the complaint relates.*

*The Promotional Material is considered part of a community-based initiative. Often sporting and other community clubs, for all ages, contact Domino’s for pizza vouchers, such as the “Hot Shot Sporting Award” to distribute as part of community-based events and initiatives. The Promotional Material and “Hot Shot Sporting Awards” generally, are not otherwise actively marketed or advertised by Domino’s. As such, it is submitted that the Promotional Material is a public relations communication or related activity and therefore falls within the definition of “Excluded Advertising or Marketing Communication” for the purposes of the AMCC Code.*

*The Promotional Material does not constitute an Advertising or Marketing Communication to Children within section 1 of the Code as the voucher itself is not specifically directed primarily to Children if regard is had to the theme, visuals and language used. Domino’s refers to the AANA Practice Note on the AMCC Code in this context. Specifically, we note that there is no specific representation made in the Promotional Material to indicate it is directed primarily at children in the first instance. In this regard, we submit that the Promotional Material is designed to highlight a person’s achievement without any reference to a specific age. It also submitted that the nature of the product and service within the Promotional Material, being 1 “Free Large Traditional or Value Pizza” Pick Up is a product enjoyed more generally by an adult or family in a shared setting. The Promotional Material does not show directly, or by inference, that the “Large Traditional or Value Pizza” is a children’s meal or could be inferred to be a children’s meal. While the colours and creative tone of the Promotional Material may appeal to children, this does not mean that the Promotional Material is targeted toward or directed primarily to children. The colours used to create the Promotional Material are the Domino’s brand colours and are used*



*for the purposes of ensuring brand consistency. The predominant creative theme is recognition of performance for those of any age participating in community events where the Promotional Material may be distributed. The colours, visuals and language do not specifically target children, and Domino's also emphasises that no actors, characters or particular visuals of any kind are included in the visual material that would indicate it is intended to target children directly, over and above a broader audience of all ages.*

*In the alternative, Domino's also provides the following responses in respect of the AMCC Code, specifically sections 2.1, 2.2, 2.3, 2.7, 2.8, 2.11 and 2.14.*

*Domino's submits that sections 2.4, 2.5, 2.6, 2.9, 2.10, 2.12 and 2.13 of the AMCC Code are not relevant for the purposes of the current complaint and do not require specific comment from Domino's further to the responses already provided in respect of the AANA Code.*

#### *Section 2.1 – Prevailing Community Standards*

*Domino's does not believe that the Promotional Material contravenes the Prevailing Community Standards with regards to Advertising or Marketing to Children.*

*We refer to the AANA Code of Ethics – Practice Note which provides that:*

*"...There is no one test of Prevailing Community Standards. The Prevailing Community Standard will differ in relation to the different restrictions in relation to health and safety, nudity, language, violence and portrayal of people."*

*The complaint raises concern regarding the Promotional Material in the context of sporting activities and it allegedly not promoting a healthy diet. Domino's submits that the Promotional Material is used for the purposes of awarding a recipient for achievement in a community sports context. It does not depict or encourage the audience to indulge in the product or service on a basis that would be inconsistent with the Prevailing Community Standards with respect to fast food, being that it be consumed on an occasional basis and not in excess. The Promotional Material does not depict active or regular consumption of the relevant product and the fact it is for a once-off redemption further affirms this.*

#### *Section 2.2 – Factual Presentation*

*Domino's submits that the Promotional Material is not capable of misleading or deceiving children nor is it ambiguous in the context. The Promotional Material clearly depicts the product and service it is for, and the fact that the Promotional Material is subject to Domino's standard terms and conditions online, which include that users of Domino's service are either more than 18 year of age, or possess legal parental or guardian consent. The product within the Promotional Material is clearly free, subject to any customisation by the recipient.*

#### *Section 2.7 – Parental Authority*

*Domino's submits that the Promotional Material does not undermine the authority, responsibility or judgement of parents or carers. The fact a child may receive the*



*Promotional Material does not mean it will be in fact redeemed or used and there is nothing depicted in the Promotional Material to suggest or infer it would have the effect of undermining the authority, responsibility or judgement of a parent or carer. In this respect Domino's again reaffirms its position that the design and creative elements of the Promotional Material are based on Domino's core brand colours. The Promotional Material is generalised for the purposes of it being given to a recipient of any age. Domino's also reaffirms that its relevant terms and conditions specify that parental consent would be required if a person under 18 is using Domino's services.*

#### *Section 2.8 – Qualifying Statements*

*The Promotional Material includes the following qualifying statement in clear text: “\*Conditions apply. Only available at Domino's XXXXXX. Customisation may incur further charges as displayed in order basket. All offers not valid with any other coupon or offer. For more information on ingredient, gluten free, nutritional and allergen information & to see full terms and conditions visit [www.dominos.com.au](http://www.dominos.com.au).”*

*Domino's submits that the qualifying statement is clearly displayed and provides that the Promotional Material is subject to Domino's terms and conditions online. The terms and conditions online explain clearly that users affirm they, “...are either more than 18 year of age, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties, set forth in these Terms & Conditions of Use...”.*

#### *Section 2.11 – Premiums*

*The Promotional Material includes the statement is for redemption of one (1) “Free Traditional or Value Pizza” however it does not include a Premium (as that term is defined in the AMCC Code), on the basis the free pizza is not conditional on the purchase of an advertised product.*

#### *Section 2.14 – Food and Beverages & AANA Code*

*The Promotional Material does not in any way whatsoever, encourage nor promote an inactive lifestyle or unhealthy eating or drinking habits. Domino's submits that the context in which the Promotional Material does not encourage unhealthy eating or drinking habits, on the basis it is for a once-off redemption. This demonstrates an approach towards consumption of fast food in moderation and on an occasional basis only. The Promotional Material itself also includes no representations whatsoever regarding the consumption of the pizza by an individual only or specifically a child. To this end, Domino's reaffirms that the Promotional Material is for a one (1) “Free Traditional or Value Pizza” which is likely to be consumed in a shared or family setting and is not designed with specific or direct appeal to children.*

#### *Section 3.3 - AANA Food & Beverages Advertising & Marketing Communications Code (Food Code)*

##### *Section 2 – Advertising or Marketing Communications for Food or Beverage Products*

*In respect of section 2.1 of the Food Code, Domino's submits that the Promotional Material is not misleading or deceptive or otherwise in contravention of Prevailing*



*Community Standards. The Promotional Material is also communicated in a manner appropriate to the level of understanding of the target audience, that being individuals of all ages that participate in community sporting activities or events. The Promotional Material is designed in a clear and concise manner that accurately presents the relevant details of the offer to the average consumer. The qualifying statement provides clear information to the recipient of the Promotional as to where the full information on nutritional values can be found online. The Promotional Material is dependent on recipients' Value or Traditional Domino's pizza preference and as such it would not be reasonable to include all possible variations of nutritional information in this particular creative. Domino's therefore makes all its nutritional information available online (and in store) to enable the customer to make an informed decision before it opts to redeem the Promotional Material.*

*In respect of section 2.2 of the Food Code, Domino's reaffirms its position that the Promotional Material does not in any way undermine the importance of a healthy or active lifestyle, not does it promote or encourage what would reasonably be considered as excessive consumption through the representation of products or portion sizes. Domino's restates that the Promotional Material contains an offer for one (1) free pizza for use once only. The fact it is for one (1) pizza once only, does not convey that fast food or Domino's products should be consumed excessively. There is nothing in the Promotional Material that disparages or undermines the importance of healthy foods or food choices or physical exercise. While Domino's notes such disparagement does not need to be explicit, it submits that the average consumer within the audience (participants at community sporting events) would interpret the message of the Promotional Material to be that the sole product on offer (one (1) free pizza) is for consumption in moderation and often as a shared food. There is no representation of the product, or its portion size, within the Promotional Material that encourages excessive consumption by an individual recipient.*

*In respect of sections 2.3, 2.4, 2.5 and 2.6 of the Food Code, Domino's submits that the Promotional Material does not contain any nutritional-related claims in the context of these sections. Notwithstanding these sections do not apply, the Promotional Material makes it clear a recipient is able to access complete health and nutritional information on the Domino's website so an informed decision can be made about Domino's products.*

*Domino's submits that sections 2.7 and 2.8 of the Food Code are not relevant for the purposes of the current complaint regarding the Promotional Material.*

*In respect of section 2.9 of the Food Code, Domino's has set out its position above in regards to the AANA Code of Ethics and AMCC Code.*

### *Section 3 – Advertising and Children*

*Domino's acknowledges that the Promotional Material may be presented to recipients of all ages, however we entirely refute that the Promotional Material could be deemed a contravention of section 3 of the Food Code.*



*In respect of section 3.1, Domino's submits that the Promotional Material is not misleading or deceptive in any way in the context of the intended audience, that being recipients of all ages.*

*In respect of section 3.2, Domino's submits that the Promotional Material in no way improperly exploits children's imaginations in a way that may encourage children to submit excessive quantities of food. The Promotional Material is limited to redemption for one (1) free pizza and includes no representation or message that would encourage recipients to consume the entire pizza in an excessive manner.*

*In respect of section 3.3, Domino's submits that the Promotional Material does not imply that possession or use of the particular product (a free pizza) will afford the recipient any physical, physiological advantage over another, or that non possession would have the opposite effect. The design and structure of the Promotional Material are clear to the extent that no such statements are included or impressions created.*

*In respect of section 3.4, Domino's submits that the Promotional Material does not undermine, or attempt to undermine, the role of parents or carers in guiding diet or lifestyle. Domino's again affirms that the Promotional Material is clearly governed by Domino's terms and conditions that limit use to persons with parental consent or over 18. As such it is important to Domino's that parents and carers retain such role and Domino's Promotional Material conveys that position.*

*In respect of section 3.5, Domino's submits that there is no appeal to children in the Promotional Material that would urge a potential recipient's parents and/or other adults responsible in a particular recipient's case, to buy the particular product for the child. This is inherently clear in the Promotional Material having regard to the fact it is for free redemption of a Domino's product.*

*In respect of section 3.6, Domino's submits that the Promotional Material does not feature ingredients or Premiums (as that term is defined in section 1 of the Food Code) that are an integral part of the product on offer. As such, this section 3.6 is not relevant for further consideration in Domino's view.*

#### *Section 4.2 – Australian Quick Service Restaurant Industry Code for Responsible Advertising and Marketing to Children (QSRI Code)*

*The complaint makes specific reference to the Promotional Material being an alleged breach of the Australian Quick Service Restaurant Industry Code for Responsible Advertising and Marketing to Children (QSRI Code). Domino's notes section 4.2 of the Food Code provides:*

*"Advertising or Marketing Communication for Food and Beverage Products by a Quick Service Restaurant must comply with Schedule 1 of the QSRI, where applicable."*

*Domino's refutes that the Promotional Material is in breach of section 4.2 of the Food Code, Schedule 1 of the QSRI Code or the QSRI generally, on the basis that the*





*Promotional Material on its face, does not fall within the scope of part 3 of the QSRI Code.*

*Domino's submits that the Promotional Material itself is not material that is published using a "Medium" based on the definition and scope of medium under part 3. However, adopting a broad approach, Domino's submits that if the Promotional Material is considered an Advertising or Marketing Communication within the scope of the QSRI Code (having regard to the fact it is for one (1) free pizza), it does not constitute any breach of the QSRI Code on the basis it is not directed primarily to Children (being persons under the age of 14 years old).*

*The content of the Promotional Material is not directed primarily toward Children based on the overall theme, visuals and language used. The visuals of the Promotional Material are based on Domino's colours and theme and we submit that the overall design does not indicate the Promotional Material is directed primarily at Children. It is rather directed primarily towards participants of community sporting events which include persons of various age demographics. The language used in the Promotional Material is also not geared towards a particular age demographic for this reason. Further to this, the offer contained within the Promotional Material is for one (1) free pizza which is often a shared meal for persons of various ages, in particular families and adults. It is not directed primarily to be, nor is it marketed as, a meal to be consumed individually by a Child (for the purposes of the QSRI Code).*

*Section 1.1 (of Schedule 1) of the QSRI Code provides that advertising and marketing communications to Children for food and/or beverages must:*

- "a. Represent healthier dietary choices, as determined by the nutrition criteria; and*
- b. Reference, or be in the context of, a healthy lifestyle, designed to appeal to Children through messaging that encourages:*

- i. Good dietary habits, consistent with established scientific or government standards;*
- ii. Physical Activity."*

*While Domino's does not agree that the Promotional Material is primarily directed at Children having regard to its content and placement or distribution, it is submitted in the alternative that the product contained within the Promotional Material is not in breach of section 1.1 (of Schedule 1) of the QSRI Code. The product within the Promotional Material is for a once-off redemption and does not encourage excessive consumption but rather consumption of a particular food choice in limited circumstances. Section 1.1 requires healthier dietary choices to be represented as determined by the Nutrition Criteria in Schedule 2 of the QSRI Code.*

*The fact it is for one (1) pizza once only, does not convey that fast food or Domino's products should be consumed excessively. There is nothing in the Promotional Material that disparages or undermines the importance of healthy foods or food choices or physical exercise. While Domino's notes such disparagement does not need to be explicit, it submits that the average consumer within the audience (participants at community sporting events) would interpret the message of the Promotional Material to be that the sole product on offer (one (1) free pizza) is for consumption in*



*moderation and often as a shared food. There is no representation of the product, or its portion size, within the Promotional Material that encourages excessive consumption by an individual recipient, in particular an individual Child (for the purposes of the QSRI Code).*

*The complaint alleges the Promotional Material constitutes a breach of section 1.5 (of Schedule 1) of the QSRI Code. Domino's refutes entirely that the Promotional Material would constitute a breach of section 1.5 as it is not for redemption of a product or meal directly promoted or marketed to Children. Further, in respect of section 1.5 and section 1.6 of the QSRI Code, Domino's submits that the Promotion Material clearly references the availability of all nutritional information available to the relevant audience on the Domino's website to enable customers to make informed nutritional decisions. Domino's reaffirms that the terms and conditions of the Promotional Material are such that the recipient would need to be an adult or parental consent would be required, for the offer to be redeemed. Domino's further reaffirms that the product itself and pizza generally can be reasonably concluded to be a shared food that is consumed by groups or families and there is no suggestion in the Promotional Material that the product is primarily directed towards a Child or Children as an individual meal. It would be unreasonable to conclude that the Promotional Material constitutes a breach of section 1.5 or the QSRI Code more generally, in the context raised by the complaint.*

*In so far as the QSRI Code applies to the Promotional Material (which Domino's does not agree), it is not open on the facts to conclude that the Promotional Material constitutes a breach for the reasons that have been provided in the alternative.*

*For the above reasons, we respectfully submit that the Promotional Material is not in breach of the AANA Code, the AMCC Code, the Food Code, or the QSRI Code.*

*Domino's respects there is community sentiment regarding marketing and promotional activities that may involve children. Domino's will continue to monitor its ongoing compliance with the AANA Code, the AMCC Code, the Food Code, and the QSRI Code as a result of this complaint.*

*If you require any further information, please do not hesitate to contact with us.*

## **THE DETERMINATION**

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code).

The Panel viewed the advertisement and noted the advertiser's response.

The Panel noted the complainant's concern that the advertisement is advertising fast food to children.



The Panel noted that the product advertised is a promotion for Domino's food products and that therefore the provisions of the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code) apply.

The Panel considered Section 4.2 of the Food Code which provides "Advertising or Marketing Communication for Food or Beverage Products by a Quick Service Restaurant must comply with Schedule 1 of the QSRI, where applicable".

The Panel noted that the QSRI refers to the Australian Quick Service Restaurant Industry Initiative for Responsible Advertising and Marketing to Children and noted that the QSRI is designed to ensure that only food and beverages that represent healthier choices are promoted directly to children.

The Panel considered the definition of advertising or marketing communications to children within the QSRI. The definition states that 'Advertising or Marketing Communications which, having regard to the theme, visuals and language used, are directed primarily to Children and are for food and/or beverage products.' Under this initiative children means "persons under the age of 14 years of age."

The Panel noted that the QSRI captures Advertising and Marketing Communications to Children where:

1. ...the theme, visuals and language used, are directed primarily to Children and are for food and/or beverage products;
2. Advertising or Marketing Communications that are placed in Medium that is directed primarily to Children (in relation to television this includes all C and P rated programs and other rated programs that are directed primarily to Children through their themes, visuals and language); and/or
3. Where Children represent 35 per cent or more of the audience of the Medium.

The Panel considered one element of the definition: was the material published in a 'medium' directed to children?

The Panel noted that the advertisement is a voucher which is featured on a sports certificate handed out to a child for Player of the Day at a football competition. The advertisement features a black background with a basketball, football and tennis ball, the heading 'Hot shot sports award' on the image of a prize ribbon and states that the child has won 'One free large traditional pizza'.

The Panel noted that the definition of Medium in the QSRI is 'television, radio, newspaper, magazines, outdoor billboards and posters, emails, interactive games, cinema and internet sites.' The Panel considered that the material in question was not easily identifiable as any of these mediums. However the Panel noted that the substantive provisions of the QSRI refer to 'products or vouchers' as a matter within



the purview of the QSRI and also considered the objectives of the QSRI which include 'reducing advertising and marketing communications to children for food and beverage products that do not represent healthier choices.' The Panel considered that the absence of a reference to vouchers in the definitions section of the QSRI does not render its operative provisions ineffective. Alternatively, a broad interpretation of the definition of 'medium' to include a form mentioned elsewhere in the QSRI (ie a voucher) would be consistent with the stated objectives of the QSRI. The Panel therefore considered that the advertising material (a Domino's pizza voucher handed to a child after a sporting event) is, relevantly, material published to an audience which would be more than 35% children, as the voucher is given to children at a sporting event.

The Panel considered that this advertisement did fall under the provisions of the QSRI on the basis that it is a marketing communication directed primarily to children for a food product.

The Panel considered the complaint under Schedule 1.5 of the Code which provides:

"Signatories must not give away food and/or beverage products or vouchers to Children as awards or prizes at Children's sporting events unless those products meet the Nutrition Criteria."

The Panel noted that the advertisement was a voucher given to a child as an award at a sporting event.

The Panel noted that Schedule 2 of the QSRI details the Nutrition Criteria for assessing children's meals according to the initiative. The Panel noted S2.1 of the QSRI states:

*"S2.1. Meal composition*

*a. The meal must be comprised of at least a main and a beverage.*

*b. The meal should reflect general principles of healthy eating as defined by credible nutrition authorities."*

The Panel noted that the voucher was for one large traditional pizza and considered that this would not meet the Nutrition Criteria in Schedule 2 of the QSRI as it does not include a beverage.

The Panel determined that the advertisement was a voucher given to a child at a sporting event that was not for a product that meets the nutritional criteria and therefore the advertisement did breach S1.5 of the QSRI.

Finding that the advertisement breach S1.5 of the QSRI the Panel upheld the complaint.



## **THE ADVERTISER'S RESPONSE TO DETERMINATION**

We confirm we are modifying the voucher in response to the Panel's determination of the complaint. DPE's Marketing Team have notified our franchisees and print distribution affiliate that they are no longer able to obtain a copy of the specific voucher that is the subject of the complaint. We cannot recall all vouchers that are already in market however we note you do not require such action in order to comply with the Panel's determination.