



Case Report

1	Case Number	0036/13
2	Advertiser	Burger Urge
3	Product	Food and Beverages
4	Type of Advertisement / media	Internet
5	Date of Determination	13/02/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

Image on the Burger Urge website of a woman licking the face of a cow. The cow is wearing a monocle and a top hat and the accompanying text reads, "Get intimate with our new premium beef".

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

The Advertiser has defended such loathsome, sick advertising as "creative" and competitive. Surely such low, offensive advertising is a breach of standards or derelict in some way. The message he is sending is totally WRONG AND PERVERTED. It's distressing to see adults in a professional franchise of family restaurants lowering the level of moral fibre, etc. What type of bizarre example is he projecting? PLEASE INVESTIGATE, PROSECUTE OR WHATEVER. Even worse, to think that this man and his assumedly advertising agency and model etc. does not see it as JUST PLAIN WRONG ON EVERY LEVEL.

THE ADVERTISER'S RESPONSE

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

The advertiser has not provided a response.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement features a woman provocatively licking a cow and that this is inappropriate.

The Board noted that some of the complainant’s concerns related to the content of the campaign as described in an article, and that the complainant had not themselves received any items in the mail. The Board therefore confined its consideration to the image on the internet.

The Board viewed the advertisement and noted the advertiser had not provided a response.

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that the advertisement depicts a woman licking the face of a cow and the text reads, “Get intimate with our new premium beef”.

The Board noted that the cow in the advertisement is also depicted as wearing a monocle and a top hat and considered that most members of the community would recognise that the image had been photo-shopped and that the woman is not actually licking the cow. Notwithstanding the photo-shopping of the image, the Board noted that the overall image depicts a woman licking a cow. The Board noted that whilst this image of the woman licking a cow’s face would be considered distasteful by most members of the community in the Board’s view it is not overly sexualised or provocative.

The Board noted the accompanying text and considered that the suggestion of getting intimate with beef is open to many interpretations and that in the context of an advertisement for burgers the most likely interpretation is suggestive of eating a burger made from premium beef.

Based on the above the Board considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.

