



Case Report

1	Case Number	0015/17
2	Advertiser	Yum Restaurants International
3	Product	Food / Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/02/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Age
- 2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement shows teenagers playing an informal game of cricket in the family's backyard and features a sequence showing a father wearing a "KFC Bucket" on his head whilst slowly driving a ride on lawn mower pulling a cart carrying KFC's new frozen carbonated beverages range into the family's backyard. Commentary is provided by Australian radio duo, Fitzy and Wippa.

THE COMPLAINT

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

This advertisement should be removed from air as it promotes very poor safety practises in the Australian home, particularly relating to kids at this time of year when mowing lawns is common.

This commercial is ageist and depicts older people in a demeaning and disrespectful way. The father is depicted as a buffoon and four items of dialogue all demean him, even though he is doing the young players an act of kindness. I wonder why KFC needs to glorify youth by disrespecting age?

Ride on lawn mower being used in close proximity to people with bare feet or only thongs on.

Unsafe practice which if people did this at home could cause serious injury. Mowing a lawn with children playing on the lawn not safe and the distance from the mower not safe. Not clear if mower was mowing or not.

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 correspondence in respect of the above complaint regarding KFC's brand television commercial which features a lawn mower (Advertisement).

Information Requested

The CAD reference number for the Advertisement is:

- *KFCCR005315FB: W4036ERA - CAD rating W*

Description of Advertisement

The Advertisement shows teenagers playing an informal game of cricket in the family's backyard.

The Advertisement is commentated by Australian radio duo, Fitzy and Wippa, and features a sequence showing a father wearing a "KFC Bucket" on his head whilst slowly driving a ride on lawn mower pulling a cart carrying KFC's new frozen carbonated beverages range into the family's backyard. The advertisement is meant to embody the fun and freedom of the Australian summer and provide a 'home cricket ground' take on the classic "drinks break" taken in professional cricket matches.

Complaints

The complainant alleges that the Advertisement encourages people to engage in unsafe behaviour.

Relevant Codes & Initiatives

Australian Association of National Advertisers Code of Ethics ("Code")

There is a suggestion that the Advertisement breaches section 2.6 (Health and Safety Unsafe Behaviour) and clause 2.1 (Discrimination) of the Code.

Has the Code been breached?

KFC considers that the Advertisement does not breach the Code.

The Lawn Mower

The overall theme and tone of the Advertisement is to focus on the fun that the family partakes in during a game of home cricket, which is the cornerstone of KFC's cricket campaign "The Home Cricket Ground".

KFC is of the view that the Advertisement does not in any way encourage or promote people, whether adults or children, to engage in unsafe behaviour or practices.

The Advertisement uses the informal setting of the family backyard and the ride on lawn mower to have appeal to the vast majority of Australians who may fondly recall playing

backyard cricket in the hot Australian summer, with all the spontaneous fun that it entails. The visuals of the father character riding slowly on a lawn mower to deliver cold drinks to a family backyard is deliberately intended to be a humorous take on the 'drinks break' taken in professional cricket settings. This is designed to evoke a sense of belonging and nostalgia for the audience as they connect with the humorous father figure and family playing cricket in the opening sequence.

We note that the Advertisement has a W rating and is not booked to screen on television during Pre-school and Children's programming time slots.

Health and Safety Measures

Notwithstanding the above, KFC implemented measures to ensure that a significant amount of care was taken to meet health and safety requirements during the filming and creation of the Advertisement.

KFC highlights the following material points to address the complainant's concerns:

- The lawn mower was being driven very slowly into the vicinity of the action in the Advertisement;*
- At all times the lawn mower was not shown to be mowing when it was driven by the father in the Advertisement;*
- The lawn mower's power source was shut off when it was in close proximity to the people who approached it to receive their beverages;*
- At no time was the father driving the lawn mower in a dangerous fashion that would encourage or cause serious injury to people in its close proximity;*
- At all times the people in the vicinity of the lawn mower were clearly aware of the presence of the lawn mower as it approached;*
- All the people featured in the advertisement are over 14 years of age*

Ageist Discrimination

The visuals of the father character riding slowly on a lawn mower to deliver cold drinks to a family backyard is deliberately intended to be a humorous take on the 'drinks break' in professional cricket matches. This is not intended to depict the father in a negative light and not as a 'buffoon', but intended to display the light-hearted humorous father figure, engaging in the spontaneous fun that the "Home Cricket Ground" campaign entails, which audiences of all ages can relate to. The actions and reactions of the family are typical of an Australian family scenario and the humorous commentary complies with the Prevailing Community Standards.

We trust this addresses the complainants' concerns.

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 complainants' concerns that the advertisement is ageist and that it depicts a mower being used near children which is unsafe.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted that this television advertisement features a father wearing a KFC bucket on his head riding a mower which is towing a cart full of KFC frozen drinks.

The Board noted the complainant's concerns over the manner in which a dad is portrayed: "as a buffoon" and with dialogue that "demeans" him.

The Board noted that the dad is smiling as he delivers the drinks and considered that the reaction of the teenagers to his appearance is of happiness that he has brought drinks. The Board noted that the voiceover assumes the voice of the man's son and describes the dad as 'embarrassing' but considered that the dad's behaviour was consistent with a dad being 'daggy' and the son's reaction is one of amused acceptance that this is what his dad does rather than a suggestion of disrespect.

The Board considered that the overall depiction of the dad in the advertisement, whilst a stereotype of a dad behaving in a manner which teenagers would find embarrassing, is a depiction which is light-hearted and not intended for the viewer to think less of this, or any other, dad.

The Board considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of gender or age and determined that the advertisement did not breach Section 2.1 of the Code.

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted the complainant's concern over the use of the mower.

The Board noted it had previously dismissed similar complaints in case 0137/15 where:

"The Board noted that this advertisement features a scene of a man pushing a lawn mower with a boy pushing a toy lawnmower alongside him. The advertisement shows several other scenes of children with their Dads doing other activities such as surfing and playing. Throughout the advertisement the children all say "Dad" in some way. The advertisement ends with the logo, Dads 4 Kids...

... The Board acknowledged that advertisers should take care not to show unsafe practices but considered in this instance the scene depicting the boy pushing the mower close to the man is not condoning or encouraging poor safety behaviours and agreed that the child is not in any danger.

The Board noted the operational guide for the lawnmower suggests people and pets are not in

the vicinity of the mower and that bystanders are a minimum of 15 meters away. The Board considered that in the current advertisement, the scene of the man mowing was very fleeting and based on the overall tone and impression of the advertisement, the Board felt that the safety of the child was not in doubt and that the fleeting scene did not endorse or encourage unsafe operation of a power tool.”

In the current advertisement, the Board noted that the mower is being used as a vehicle to transport drinks and not as a mower to cut grass and considered that there is no suggestion that any person is in danger from the manner in which the mower is being driven and no indication that the mower mechanism is engaged.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards and determined that the advertisement did not breach Section 2.6 of the Code.

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