



CASE REPORT

1. Complaint reference number	106/04
2. Advertiser	McDonalds Australia Ltd (Anzac)
3. Product	Restaurants
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1
6. Date of determination	Tuesday, 11 May 2004
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement depicts four Anzac war veterans drinking McDonalds coffee at a table at McDonalds. A staff member watches them talk as each one fades away one at a time. The tagline of the advertisement is “They may have all gone, but they will never be forgotten.”

THE COMPLAINT

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

“I find this appropriation of something so non-commercial as the memory of those that served Australia in past wars by any company (let alone an American one) to be totally tasteless and offensive.”

“I found this ad offensive to the memory of our soldiers and all that Anzac day has come to represent to the Australian psyche – how dare this American based business infiltrate our society so insidiously with its cheap American sentiment.”

THE ADVERTISER’S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

“We have reviewed Section 2 (Advertiser Code of Ethics) in context of [the complaint] and we do not believe we are in contravention of it.”

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 that in the context of prevailing community standards, the majority of people would not find this advertisement offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to discrimination (age)/vilification.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.