



CASE REPORT

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| 1. Complaint reference number | 554/08 |
| 2. Advertiser | Nando's Australia Pty Ltd |
| 3. Product | Restaurants |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 21 January 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement from Nando's Australia for its peri-peri chicken platter features an image of a young woman wearing black clothing, she has red roses with skulls in her hair. She is pictured licking a plate. Words below the image say, "Share a peri-peri chicken platter" and the Nando's logo.

THE COMPLAINT

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

I don't think it is appropriate to try and appeal to the public using sex/sexualised image to sell chicken. It is just plain lazy campaigning. I don't want to see a huge poster of a woman licking a plate in a "sexy" way when I'm catching the bus. It's annoying and offensive.

THE ADVERTISER'S RESPONSE

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

Further to your email dated 20 December 2008, I would like to take this opportunity to respond to the complaint made against our current Outdoor advertising campaign - "Lick it up!"

Firstly, I would like to state that it was not our intention to offend or upset anyone with the street furniture, and we regret that a member of our audience has found cause for complaint. The outdoor execution in question plays upon the idea that when you have a delicious meal, you just want to pick up the plate and lick every last drop. Social standards tells us that this is not polite behaviour, however in this instance Nando's are giving you the permission to lick away as we know the food tastes great and that you want to celebrate it.

As you mentioned in your email, the complaint raised issues under section 2 of the AANA Advertiser Code of Ethics. In particular:

2.3 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programmed time zone.

While we regret having upset a member of our audience, we do not believe that the advertisement contravenes the code. In fitting with Nando's cheeky and irreverent brand personality, this piece is depicted in an over the top way, demonstrating the sheer pleasure of the moorish taste of Nando's Peri-Peri platters.

As a company, we are very proud of our irreverent brand nature, but we are also proud of our international policy, which states that Nando's is for everyone. We will therefore take these

complaints into account when considering future advertising campaigns.

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 image of the woman licking the plate was sexualised and inappropriate for an outdoor audience.

The Board considered the application of Section 2.3 of the Code, relating to sex, sexuality and nudity.

The Board considered that the depiction of the woman licking the plate was a quirky way of demonstrating her enjoyment of the product and was not overly sexualised. The Board considered the depiction was appropriate to the depiction of a person finishing a meal, was not inappropriate for the relevant audience and found no breach of Section 2.3 of the Code.

The Board also noted that the depiction of a person licking a plate may not be considered polite but was in breach of any provision of the Code.

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