



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0018/19
2	Advertiser	Hungry Jacks
3	Product	Food / Beverages
4	Type of Advertisement / media	Internet - Social
5	Date of Determination	23/01/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features an Asian man singing a song about a Summer BBQ Pineapple Whopper. The song is a parody of the PAPP song Pen Pineapple Apple Pen.

THE COMPLAINT

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

The ad is racist. The man is of asian identity and he sings and dances to a song that replicates korean K pop music. He is dressed, stylised and given an accent that are gratuitous for the product and ad. The ad is clearly made for a white audience and is demeaning and caricatures people of asian identity.

THE ADVERTISER'S RESPONSE

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



At Hungry Jack's we aim to create good moments over great tasting food and we of course never wish to offend or cause distress to any of our customers, or the wider public.

The campaign is a parody of the PAPP song (Pen Pineapple Apple Pen) which was a Youtube phenomenon, the character portrayed in the ad is a creation of Kazuhiko Kosaka – a Japanese entertainer who performs as Pikotaro. This character has over 200 million fans worldwide, the majority are within Asia.

Given the popularity of the song and positive response it has received since its release, we approached the artist to see if he would consider recording a version for Hungry Jack's featuring our product.

The collaboration with Kazuhiko to create this music clip was a project with a great musician who happens to have a non-English speaking background. We believe Kazuhiko created a great song that is catchy, enjoyable, uplifting and makes people smile, this was reinforced by the overwhelming positive feedback we received on our Facebook page.

We are very proud that a significant number of our staff have a non-English first language. This complaint, if upheld, would have the result that we would be required to introduce a policy of excluding talent in our advertising with an accent, which in itself would be discriminatory. Hungry Jack's does not discriminate against people; in fact, this campaign is about embracing cultural difference and bringing people together to share a moment of fun.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concerns that the advertisement is racist and portrays negative Asian stereotypes.

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

The Panel 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 Panel noted that this Youtube advertisement features an Asian man singing a



song about a Summer BBQ Pineapple Whopper.

The Panel noted the complainant's concern that the advertisement demeans people of Asian identity.

The Panel noted the advertiser's response that the advertisement is a parody of the song Pen Pineapple Apple Pen by Japanese entertainer Pikotaro. The Panel noted that Pikotaro is also the man in the advertisement performing the parody.

The Panel noted they it had considered a complaint about a similar advertisement in case 0524/16, in which:

"The Board considered that the advertisement is highly stylised as a K-Pop video and appeared very similar to the popular Gangnam Style music video. The Board considered that the advertisement was not a negative depiction of Asian culture, but rather a celebration of the culture in the context of an Asian tasting range of products. The Board considered that while the advertisement may include Asian stereotypes, the stereotypes did not hold the culture up to ridicule or contempt but rather are a positive demonstration of the K-Pop style and reflective of Asian culture to highlight the Asian taste of new products"

Similar to the previous case, the Panel considered that the current advertisement is a depiction of a popular song by an Asian performer, and considered that there were no negative stereotypes of Asian people in the advertisement.

The Panel 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 race.

The Panel determined that the advertisement did not breach Section 2.1 of the Code.

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

