



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0046/14
2	Advertiser	Hungry Jacks
3	Product	Food / Beverages
4	Type of Advertisement / media	TV
5	Date of Determination	26/02/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

A young couple walking up to a Hungry Jack's counter to order. The young male places his order for 2 meals and the Hungry Jack's crew member asks whether he would like "a Coke or Frozen Coke". The young male asks "there's a choice?" A food sequence is shown and a Coke and Frozen Coke being placed in front of two burgers and fries, we hear the voiceover "At Hungry Jack's you can choose between a Coke or Frozen Coke with any value meal, even Stunner Meals". The couple are shown and the young male responds with "Choice!"

THE COMPLAINT

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

The stereotype portrayed by the customer is deeply offensive being of Maori decent myself I found the 'dumbing down' of the character reminiscent of 'good old fashion racism' the type where people equate it to banter or just having a laugh, if I was to stereotype one of my employees like this I would be in breach of my employers professional behaviours policy, hungry jacks wouldn't dare treat an aboriginal person / character with such an ignorant stereotype. It is a poor portrayal of a proud, noble, educated race of people and it reduces them to comedy it is in poor taste and does nothing for the inclusive relationships many Australians work hard to foster.

THE ADVERTISER'S RESPONSE

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

The commercial focuses on the offer of choice between beverages with all value meals at Hungry Jack's. 'Choice' is a commonly used slang term in New Zealand by New Zealanders, to mean "OK, cool, I agree, I understand, it's been good... but always positive" (<http://www.statravel.com.au/new-zealand-language.htm>)

Our talent uses 'Choice' to exclaim his satisfaction with the offer.

There is nothing in the story line, script or sentiment of the commercial to insinuate the 'dumbing down' of any race, ethnicity or minority group.

The commercial received CAD approval prior to airing, in which it was deemed in good taste and fit for broadcast. Hungry Jack's values the best interests of the community, and aims to uphold these through responsible advertising. It does not believe this commercial contravenes these interests, and requests the complaint be dismissed.

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 portrays a man of Maori descent in a stereotypical way and is offensive and racist.

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 the advertisement features a young couple walking up to the counter at a Hungry Jack's outlet. The young male places his order for 2 meals and the Hungry Jack's crew member asks whether he would like "a Coke or Frozen Coke". The man asks "there's a choice?"

The choice of drinks are then shown and described and the advertisement ends with the man responding with "Choice!"

The Board noted that the young man is of Maori appearance and he speaks with a very strong Maori accent. The Board noted that the word 'choice' is a commonly used term in New Zealand to mean 'good' or 'great.'

The Board considered that the man's accent is clearly different to an Australian accent and is not a negative attribute. The Board considered that his distinctive accent was being highlighted to show relevant use of "choice" and that he is not being portrayed in a negative or humiliating way.

The Board considered that the use of common terms such as 'choice' did not amount to a depiction that was offensive and that the advertisement did not portray or depict material in a way which discriminates or vilifies a person on account of their race or ethnicity and 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 Board dismissed the complaints.