



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0053/11</b>
<b>2</b>	<b>Advertiser</b>	<b>Yum Restaurants International</b>
<b>3</b>	<b>Product</b>	<b>Food and Beverages</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>09/03/2011</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

- 2.8 - Food and Beverage Code      undermines healthy lifestyle
- 2.8 - Food and Beverage Code      untruthful/dishonest
- 2.1 - Discrimination or Vilification      Sex

### DESCRIPTION OF THE ADVERTISEMENT

A man is cleaning out his pool when his wife calls out that dinner is ready. He asks what it is and she replies, "Monday's meatloaf".

The man's alter ego then says to him that he should not have to eat leftovers for dinner and suggests he drive over to KFC and pick up the new Streetwise Dinner for \$19.95.

### THE COMPLAINT

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

*KFC is advertising that fried chicken pieces are better than home cooked leftovers for lunch. No wonder we are a nation of obese adults and, more importantly, children. Parents are being undermined at every turn when it comes to good nutrition for our kids. The ad encourages people to refuse good, healthy food and in its place have highly processed fat-laden fast food. In today's climate of spiralling obesity this is just ludicrous. At a time when the country is supposedly dealing with an obesity problem these adverts seem not only ridiculous but socially irresponsible. With so much obesity and children not fully understanding the ramifications of too much junk food over healthy food this is inferring that healthy is boring and that KFC is better than healthy food. The message here could be very detrimental to the health of Australians as it*

*does not infer that KFC is ok on the odd occasion as a treat but that it should be an alternative to something healthy.*

## **THE ADVERTISER'S RESPONSE**

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

*AANA Code of Ethics (the Code)*

*Section 2 of the Code has been cited as relevant. More specifically, sections 2.4 and 2.8 as they relate to Advertising or Marketing Communications to Children and food and beverages respectively.*

*Section 2.4 (Advertising or Marketing Communications to Children) The Code provides that Advertising or Marketing Communications to Children are those communications which, having regard to the theme, visuals and language used, are directed primarily to Children. Children are those persons 14 years old or younger. None of the advertising techniques used in either Advertisement could in any way be considered to be directed primarily to Children. The Lunch Advertisement is aimed at young men who live out of home while the Dinner Advertisement is aimed at married men.*

*This provision does not apply and neither of the Advertisements breaches the Code.*

*Section 2.B (food and beverages) and the AANA Food and Beverages Advertising and Marketing Communications Code (the F&B Code)*

*Neither of the Advertisements breaches the Code or the F&B Code.*

*Both Advertisements are a light-hearted message about treating yourself and providing variety at meal time. Neither Advertisement was intended to offend.*

*More specifically, in the Lunch Advertisement, it is not made clear exactly what the leftovers are held in the container. In the Dinner Advertisement, we're not informed of the composition or size of the meat loaf meal. As such, we are unable to make any comparison between the meals being considered and KFC.*

*KFC is broadly consumed by the Australian community. Our products meet the prevailing standards of the Australian community in respect of food. In this regard, we believe that the Australian community prioritises balance.*

*The KFC menu offers foods that can be enjoyed as an occasional treat and can easily fit into a healthy lifestyle. Nutritional information in respect of this food can be found in every store through nutritional pamphlets, on-pack and also online at [www.kfc.com.au](http://www.kfc.com.au).*

*KFC encourages all Australians to maintain a healthy and active lifestyle. In that regard, please refer to the Nutritional section on [www.kfc.com.au](http://www.kfc.com.au). A healthy and active lifestyle includes combining a sensible and balanced diet composed of a variety of foods from all of the main food groups, with appropriate physical activity.*

*KFC Australia is committed to complying with all codes and applicable laws related to advertising. Yum! will continue to ensure that its advertisements do not offend prevailing community standards.*

## **THE DETERMINATION**

The Advertising Standards Board ('the Board') considered whether this advertisement breaches the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code) and Section 2 of the AANA Advertiser Code of Ethics (the "Code").

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

The Board noted the complainants' concerns that the advertisement is encouraging the eating of fast food over healthy nutritious food.

The Board considered Section 2.1 of the Food Code which states: "Advertising or Marketing Communications for Food or Beverage Products shall be truthful and honest, shall not be or be designed to be misleading or deceptive or otherwise contravene Prevailing Community Standards, and shall be communicated in a manner appropriate to the level of understanding of the target audience of the Advertising or Marketing Communication with an accurate presentation of all information including any references to nutritional values or health benefits."

The Board noted that in the advertisement a man is encouraged by his alter ego to buy some KFC instead of eating his wife's leftover meatloaf.

The Board noted that the advertisement makes no suggestion about the nutrient profile of the product advertised or the alternative, in this case meatloaf. The Board considered that the advertisement was not suggesting that KFC should be bought every day, or that it was a healthy option, but rather that instead of providing leftovers you could buy KFC.

The Board considered that advertising a product in preference to 'leftovers' was not contrary to prevailing community standards as the advertisement does not suggest that that KFC is healthier than the other product – simply that it is more tasty or more likely to be thought so by the man and his family. The Board determined that the advertisement did not breach section 2.1 of the Food Code.

Finding that the advertisement did not breach the Food Code or the Code of Ethics on any grounds, the Board dismissed the complaint.