



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0054/11</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         |

### DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a female in her mid-twenties. She is sitting on a swing in the park and is opening up some dry crackers that she has brought from home to have as a snack. The alter ego of the mid-twenties female appears and says the pigeons want their lunch back and then suggests that she should get KFC popcorn chicken and gravy as a snack.

### THE COMPLAINT

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

*At a time when the country is supposedly dealing with an obesity problem these adverts seem not only ridiculous but socially irresponsible.*

*This advertisement seems to be trying to encourage viewers including children to eat oil rich fatty foods rather than a healthier alternative.*

*We write to complaint about an advertisement for KFC. We believe this ad is in breach of the Food and Beverages Advertising & Marketing communications code. The ad breaches section 2.1 in that it goes against prevailing community standards and healthy lifestyle by making fun of a healthy meal option. Overweight and obesity is a serious issue and a major health concern for many Australians making light of healthier food options is irresponsible marketing by KFC. Further this code breaches section 2.8 of the code which states that "food and or beverage products not intended as substitutes for meals shall not portray them as*

such". This ad implies to viewers that the young women should replace her lunch with an unhealthy snack alternative of popcorn chicken and gravy.

I objected to this ad because one girl is being teased for having a healthy lunch and being told she should instead eat KFC. I feel as though this might give the impression to girls (and other people) that it is okay to tease about this and to use peer pressure to encourage a friend to make a bad food choice (KFC nuggets and gravy is not a good lunch choice). I think this is different to other ads that might comment on how delicious or tasty KFC is but this ad encourages the girl to throw out her good lunch for junk food. It is particularly bad as it targets a vulnerable group (young women). For example KFC has a similar ad with two men fixing a pool in the backyard and when one of the men finds out that it is 'meatloaf night' he suggests that they get KFC instead - this ad doesn't seem quite so bad as it is targeting adults.

## **THE ADVERTISER'S RESPONSE**

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

### **RELEVANT PROVISIONS**

Your letter states that the Advertisements will be considered by reference to:

1. Section 2.4, AANA Advertiser Code of Ethics; and
2. Section 2.8, AANA Advertiser Code of Ethics;

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 Dinner Advertisement is aimed at married men while the Snack Advertisement is aimed at young adults.

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

Section 2.8 (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 both at meal time and for snacks. Neither Advertisement was intended to offend.

More specifically, in the Dinner Advertisement we're not informed of the composition or size of the meat loaf meal and as such we are unable to make any comparison between the meals being considered and KFC.

The Snack Advertisement does not relate to a sandwich, but rather dry crackers. The Snack Advertisement provides the message that dry crackers are bland in flavour. 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 makes fun of eating healthy food and encourages eating fast 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 woman is encouraged by her alter ego to give her crackers to the birds and buy some popcorn chicken instead.

The Board noted that the advertisement makes no suggestion about the nutrient profile of the product advertised or the alternative, in this case crackers. The Board considered that the advertisement was not suggesting that KFC should be bought every day, or that it was a healthy option.

The Board considered that advertising a product in preference to crackers 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 tastier or more likely to be thought so by the woman. 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.