



**Ad Standards** Community Panel  
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## Case Report

<b>1. Case Number :</b>	<b>0075-22</b>
<b>2. Advertiser :</b>	<b>Cancer Council Victoria</b>
<b>3. Product :</b>	<b>Community Awareness</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Free to Air</b>
<b>5. Date of Determination</b>	<b>13-Apr-2022</b>
<b>6. DETERMINATION :</b>	<b>Upheld – Modified or Discontinued</b>

### ISSUES RAISED

AANA Code of Ethics\2.3 Violence

### DESCRIPTION OF ADVERTISEMENT

This television advertisement features a young girl walking down a street with visible junk food advertising. The girl is then pelted with food and drink as she continues to walk.

### THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*Our two young granddaughters (one in year 2 and one in kindergarten) thought that the girl was being attacked and were very sad - and I thought that the advertisement showed bullying and child isolation and physical abuse of a young schoolgirl*

*I just feel that the message could be relayed in a more positive way, with all the young kids who are teased, taunted and harassed these days, seeing it in an ad and seeing adults being the reason of the assault of the young girl could be very distressing for any other young kids who may have experienced a similar experience either at their school or whilst going to or from their school I just think that The Cancer Council in this instance has got it wrong.*

*Image of anyone being pelted with food is not acceptable, represents bullying, violence, disrespect of a young girl, no-one helping or saying anything.*



*We are trying to teach young people respect but this add portrays a young girl having food hurled at her .....Disgraceful*

#### **THE ADVERTISER'S RESPONSE**

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

*Cancer Council Victoria*

*Since our establishment in 1936, Cancer Council Victoria has developed an international reputation for our innovative work in cancer research, prevention and support. As an independent, not-for-profit organisation, we play a leading role in reducing the impact of all cancers on all people.*

*Our research-informed policies and programs deliver the biggest population impact in preventing and detecting cancer, empowering the community and reducing inequities.*

*Our strategic work includes advocating for policy reform to reduce the impact of risk factors covering tobacco, UV, diet, obesity, and alcohol. We have a strong track record in delivering powerful cancer prevention communication campaigns.*

*The issue of unhealthy food and drink advertising*

*High consumption of unhealthy food and drink by children is contributing to poor diets and puts them at risk of cancer and other serious diseases later in life. At a time when a third of children's energy intake is coming from discretionary foods – foods which are not part of a healthy diet, and only 6 per cent are meeting the recommended daily intake of fruit and vegetables, we should be doing everything in our power to ensure our children are surrounded by healthy messages about food.*

*Research shows unhealthy food and drink advertising has a powerful influence on children, shaping what they eat, want to eat and what they ask for<sup>1</sup>, putting their future health at risk by increasing the likelihood of serious disease, including cancer. Marketing of unhealthy, energy-dense, nutrient poor, processed foods promote consumption of such foods, predisposing children to excess weight gain and associated short and long term health problems including increasing the risk of cancer, type 2 diabetes, and other serious diseases later in life<sup>2,3</sup>.*

*Being above a healthy weight in childhood increases the likelihood of being above a healthy weight in adulthood, which in turn increases the risk of at least 13 types of cancer. These include breast (post-menopause); bowel; kidney; liver; endometrial; ovarian; stomach; thyroid; oesophagus; gallbladder; pancreas; blood cell (multiple myeloma); and prostate (advanced) cancers. Being above a healthy weight causes nearly 5,300 cancer cases in Australian adults each year – and they are mostly preventable.*



*Each year the processed food industry spends millions of dollars promoting unhealthy food and drinks. Recently a report into food marketing by the World Health Organisation found that food marketers predominantly promote unhealthy foods (such as sugar-sweetened beverages, chocolate, confectionery and “fast food”) and use a range of creative strategies likely to appeal to young audiences.*

#### *Purpose of advertisement*

*The purpose of the advertisement is to raise awareness of the issue of unhealthy food and drink advertising seen by children and create public support to drive policy reform to remove unhealthy food and drink advertising near schools and on public transport infrastructure. A campaign of this type has strong public support, with a Cancer Council survey finding that more than three-quarters of respondents were in favour of an advertising campaign run by a public health organisation that aimed to raise public concern about unhealthy food and sugary drinks advertising to children.*

#### *The creative concept*

*Evidence shows children are hit with 25 ads a day as they go about their lives, including on public transport and near schools<sup>5</sup>. The advertisement is aimed at increasing awareness of the powerful influence of advertising by processed food companies on children’s diets.*

*The creative concept of the ad is to visually demonstrate how our children are being literally bombarded by this advertising as they go about their daily commute. This has been achieved by showing food hitting the child, the concept conveying the constant exposure children have to these ads placed by the processed food industry, as they go about their daily lives. Both the script and end frame of the ad reinforce the role of the processed food industry clearly stating “Together we can stop the processed food industry influencing our kids.” The script was informed by message testing during the campaign development, with the message “It’s time to protect our kids from the processed food industry targeting them with unhealthy food and sugary drinks ads” scoring highly amongst Victorian parents.*

#### *Consumer testing of the creative concept*

*We know there is support from Victorian parents on this issue with a Cancer Council survey finding 82% of Victorian parents believed that: “It was unethical for the processed food industry to market their unhealthy food and sugary drink products in places popular with children.”*

*The creative concept of Food Fight was extensively tested before being selected, using four focus groups of six people representing various ages and genders of Victorian parents, as well as a further 300 Victorian parents using an online survey.*

*After a competitive advertising pitch process in 2021 and qualitative focus group testing in October 2021, the creative concept “Food Fight” was chosen as the most*



*impactful concept to raise the awareness of the impact of unhealthy food and drink advertising by the processed food industry.*

*Advertising concepts were further tested with 300 Victorian parents via an online survey in December 2021. The best performing concept explains that our children are being hit with at least 25 unhealthy food and drink ads daily and that this has a powerful influence on what kids eat and increases the risk of 13 different types of cancer later in life. It concludes with a voiceover that explains that our children's health is at stake, encouraging the audience to join us to stop the processed food industry influencing our kids. Most respondents agreed the ad was easy to understand and felt the ad was relevant to them. When respondents were provided an opportunity to comment on the message take out, bullying and violence was not raised as a prominent issue, and the majority of respondents understood the ad concerned children's high exposure to unhealthy food.*

#### *Media buy*

*The primary audience for the advertisement is Victorian parents of children aged 0-13 and the paid media buy has been tailored to target this audience across all channels:*

- Paid TV has been bought based on the GBs with Kids demographic.*
- Online Video has been bought based on the Parents with kids 0-13 years audience*
- Digital display has been bought based on the Parents with kids 0-13 years audience*
- Social media has been bought on the Parents with kids 0-13 years audience*
- Spotify has been bought on Women 25-54*
- Search has been bought based on relevant key words*

#### *In summary*

*This advertisement is aimed at increasing awareness of the powerful influence of advertising by processed food companies on children's diets. The advertisement received a G rating through the Commercials Advice division CAD approval process. We have received tremendous support for the campaign with over 20 health organisations and more than 4000 people signing onto our statement on the Food Fight website.*

#### *Response to code*

*2.1 Advertising shall not portray people 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 orientation, religion, disability, mental illness or political belief.*

*Cancer Council believes there is no vilification or discrimination in relation to race, ethnicity, nationality, gender, age, sexual orientation, religion, disability, mental illness or political belief.*



*There was a professional and strict casting criterion. The girl-selected for the filming was founded upon her acting credentials not her gender. In addition, a boy - was also present on filming day and used in stills to support the campaign advertising. You can view -them behind the scenes here.*

*The boy and girl are both primary school aged children, aged between 9-12 years, chosen to be in the ad to demonstrate that children are bombarded by unhealthy food and drink ads as they go about their daily lives. In addition, parents with children 0-13 years are the target audience of the ad.*

*Cancer Council Victoria does not believe there is any vilification or discrimination on the basis of age or gender in the advertisement.*

*2.2 Advertising shall not employ sexual appeal:(a) where images of Minors, or people who appear to be Minors, are used;  
or (b) in a manner which is exploitative or degrading of any individual or group of people.*

*There is no sexual appeal matter in the ad.*

*2.3 Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised.*

*The advertisement -received a G rating through the CAD approval process.*

*This ad is visually demonstrating the impact of the processed food industry bombarding children with unhealthy food and drink advertisements. This has been achieved by showing food hitting the child, the concept conveying the constant exposure children have to these ads placed by the processed food industry, as they go about their daily lives.*

*The depiction of food hitting the child in the ad is justifiable in the context of the advertisement, as it is used to represent the impact of unhealthy food advertising on children's lives. We have also received a huge amount of support for the campaign with over 20 health organisations and more than 4000 individuals who have signed our online statement. This strong level of support demonstrates that our ad has resonated with the community.*

*One of the comments refers to adults throwing food at the child; however, this is not what is depicted in the ad. The food in the ad is not being thrown at the child by adults, rather it represents the processed food industry bombarding children with unhealthy food and drinks. The script and end frame of the ad supports this, telling viewers that children are hit with at least 25 ads for unhealthy food and drinks daily, and reiterating at the end that "Together we can stop the processed industry influencing our kids".*



*As you can see from the behind-the-scenes footage, to achieve this effect of food during filming, food was carefully thrown at the child and not aimed or targeted at her face or head. This process was put in place to mitigate any risk of portraying violence. In addition, the food hitting the girl was with gentle impact, the girl is not hurt or injured or does not appear to be in pain.*

*2.4 Advertising shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*

*There is no sexual appeal matter in the ad.*

*2.5 Advertising shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.*

*The advertisement received a G rating through the CAD approval process. There is no strong or obscene language in the scripts of the ad. The scripts are below*

*Our children are hit with at least 25 unhealthy food and drink ads daily.*

*This has a powerful influence on what kids eat and increases the risk of 13 different types of cancer later in life.*

*Together we can stop the processed food industry influencing our kids.*

*Search Food Fight online*

*Authorised by Todd Harper for the Cancer Council Victoria, Melbourne.*

*2.6 Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.*

*Cancer Council Victoria does not consider that the advertisement depicts material contrary to Prevailing Community Standards on health and safety. In particular, we do not consider that it depicts bullying. The ad has been developed to demonstrate the impact of the processed food industry bombarding children with unhealthy food and drink advertisements. This has been achieved by showing food hitting the child, the concept conveying the constant exposure children have to these ads placed by the processed food industry, as they go about their daily lives. The scripts also indicate the intent of the advertising without any implication of bullying.*

*During our campaign development process we tested the concept of this advertisement with 300 Victorian parents, and the majority of respondents understood the ad concerned children's high exposure to unhealthy food. Respondents were provided an opportunity to comment on the message take out and bullying was not raised as a prominent issue.*



*Furthermore, in addition to the process of developing the ad concept itself, Cancer Council Victoria has followed strict processes during the filming process to ensure the child actor and their parents were well informed and comfortable. It started from the audition stage, to casting, with both the kids and parents providing testimonials of them being comfortable with the filming process, what was involved with food being thrown and landing on them, and how the ad was going to be shot. On the day of filming a child safety officer was present and the Cancer Council Victoria Child Safety Policy was adhered to at all times, with constant check-ins throughout the filming day. In addition, the parent of the child was present, and both the child and parent were agreeable to all aspects of the shoot at every stage.*

*Cancer Council Victoria does not believe there are unsafe practices in relation to bullying in the advertisement. The advertisement received a G rating through the CAD approval process and in addition to this we have received a huge amount of support for the campaign with over 20 health organisations and more than 4000 individuals who have signed our online statement. This strong level of support demonstrates that our ad has resonated with the community.*

#### *2.7 Advertising shall be clearly distinguishable as such*

*This advertisement is clearly distinguishable as advertising by Cancer Council Victoria, with our logo clearly displayed at the end of the ad. The TV ad also has a spoken authorisation to further inform viewers that the ad is authorised by Cancer Council Victoria. In addition, the placement of the ad during television ad breaks signals that this is advertising.*

*AANA Code for Advertising and Marketing Communications to Children and the AANA Food and Beverages Marketing and Communications Code*

*We have not addressed the marketing practices to children as this ad and campaign is targeted towards parents of children to address the issue of unhealthy food and drink advertising influencing children as they go about their daily lives.*

*We have not addressed food and beverages marketing code as we are not promoting any food or beverage products.*

#### **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 complainants' concern that the advertisement depicts violent behaviour and bullying.

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



### **Section 2.3: Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised**

The Panel noted the advertiser's response that the purpose of the advertisement was to raise awareness of the issue of unhealthy food and drink advertising, and that the visuals used were intended to portray how children are being bombarded by this type of advertising.

The Panel acknowledged that the message intended to be conveyed was important, and that there was growing concern in the community about children's exposure to unhealthy food and beverage advertising.

The Panel considered that although the depiction of food being thrown at the child was intended as a metaphor for the constant exposure that children have to unhealthy food and drink advertising, the visuals were distressing as they depicted the deliberate infliction of harm to a child. The Panel noted that the child looked very unhappy for the duration of the advertisement, and especially noted the scene at the end where the child flinches when she is hit by a frozen drink.

The Panel also considered that the effect of the adults standing around doing nothing as the child was hit added to the distressing nature of the advertisement. In particular, the Panel noted that the woman who is seen watching the child at the end of the advertisement looks at her in an unfriendly manner and that this increases the sense of menace in the advertisement.

The Panel considered that although the advertisement was intended to be a visual metaphor, the depiction of the girl being hit with the food and drinks is realistic and menacing. The Panel considered that bullying is an important issue of concern for child safety, and that the depiction in the advertisement resembled that of a child being bullied.

The Panel noted there was a positive call to action in the advertisement, but there was no resolution in the visuals of the advertisement to show that the child was being protected or looked after.

The Panel considered that the depiction of the child being hit repeatedly with food and beverages, her looking very unhappy, the adults not intervening in any way, and there being no resolution in the advertisement for the girl, depicted violence and combined to create an overall impression of menace.

The Panel noted that the intended message of the advertisement was important, however the execution of this message contained a level of violence and menace that was not justifiable in the context of message advertised.

### **Section 2.3 Conclusion**





The Panel determined that the advertisement did present or portray violence which was not justifiable in the context of the product or service advertised and did breach Section 2.3 of the Code.

### **Conclusion**

Finding that the advertisement did breach Section 2.3 of the Code, the Panel upheld the complaints.

### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

While Cancer Council Victoria disagrees with the Community Panel's conclusion, we respect the Ad Standards process and will move quickly to cease to republish or rebroadcast the advertisement and this will occur by Saturday, 7<sup>th</sup> May 2022.

Cancer Council Victoria remains committed to the purpose of this advertisement which is to raise awareness of the problem of children's exposure to unhealthy food and drink advertising and to generate support for policy change.

Australian children are exposed to at least 25 unhealthy food and drink advertisements every day. This advertising influences their food preferences, purchasing behaviour and intake, ultimately putting their future health at risk by increasing the likelihood of diet-related chronic disease, including some types of cancer.

Cancer Council Victoria wants unhealthy food and drink advertising removed where children commute, learn and play, creating supportive and healthy environments for Victorian children to give them the best start in life.

The advertisement has generated a high level of community support for this important issue. To date, over 7,000 people, including 20 public health and community organisations, have signed an online statement in support of action to protect Victorian children from unhealthy food and drink advertising near schools and on public transport.