

Case Report

1. Case Number :	0115-23
2. Advertiser :	Yum Restaurants International
3. Product :	Food/Beverages
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	28-Jun-2023
6. DETERMINATION :	Upheld – Modified or Discontinued

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This television advertisement features a house-party scene. A woman realises her phone is flat and unplugs a cord from a powerboard to charge it, inadvertently turning off the music. The crowd stare at her, and she says "did someone say KFC?".



THE COMPLAINT

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

I am writing to bring to your attention an issue of serious concern relating to a recent advertisement by KFC. The advertisement in question depicts the use of an overloaded power board, a portrayal which I believe is in breach of the AANA Code of Ethics Section 2.6 Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.

The advertisement shows multiple power boards and double adapters being plugged into a single power board, which is a clear depiction of an overloaded power board.

This is a dangerous practice that can lead to a variety of risks including electric shock, damage to electronic devices, and even house fires.

According to Fire and Rescue NSW, over 350 residential house fires are started by electrical faults each year, and overloaded power boards contribute to these incidents. You can find a demonstration showcasing the dangers of an overloaded power board on the YouTube page of NSW Fire and Rescue at this link:

https://www.youtube.com/watch?v=j5eWL8chBr0&ab_channel=FireandRescueNSW

The fire services recommend using power boards with built-in safety switches or circuit breakers, not overloading power boards, placing power boards on their sides to prevent dust build-up, regularly checking that plugs are firmly fixed in power boards, and ensuring adequate ventilation. Regrettably, none of these recommended practices are depicted or suggested in the KFC advertisement.

By showing the use of an overloaded power board, the advertisement might mislead viewers, especially young people, to think that such a practice is safe or acceptable. This not only promotes unsafe practices that pose significant risks to people's lives and property but may also be considered a breach of the Australian Advertising codes.

I kindly urge you to review this advertisement from KFC in light of these concerns. By doing so, we can work together to ensure that all advertisements align with best practices for safety, thereby protecting the Australian public from potential harm.

Thank you for your time and consideration. I look forward to your prompt action on this matter.

THE ADVERTISER'S RESPONSE

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

The Advertisement to which the Complainant refers to is a TVC advertisement for the KFC brand and the O.G Mashies product (Advertisement). The Advertisement is targeted at adults and was advertised until 12 June 23. We take our compliance obligations very seriously and ensure that all KFC's advertising is compliant with all AANA regulations which surround advertising to children.

The Advertisement opens with a depiction of a typical house party. A guest at the party is panicked as their phone battery is running low, and in a panic, she unplugs the first plug she can find and inadvertently turns off the DJ decks and music. Everyone stares at her awkwardly and she says, 'Did someone say KFC?' The party goes on and her friend then enjoys their OG Mashies together.

The complaints and relevant codes

The Complainant has expressed concern that the Advertisement shows an overloaded power board and promotes the unsafe use of electronics.

The following alleged breaches are cited in the complaints:

- *2.6 Health and Safety\Unsafe behaviour.*

AANA Code of Ethics 2.6: Depiction of content that encourages or condones unhealthy or unsafe behaviour having regard to Prevailing Community Standards.

The Advertisement is in no way intended to promote the use of or mislead viewers as to the safety of using overloaded power boards. Rather, the party goer is clearly distressed and panicked and makes use of the first option available in a moment of desperation.

The intention of the Advertisement is to highlight a humorous moment in an otherwise awkward social setting which is consistent with our brand tone and familiar to our audiences.

Whilst the Advertisement is no longer being aired, upon review of the AANA Code of Ethics Section 2.6, we do not believe the Advertisement depicts or encourages unsafe behaviour with regard to prevailing community standards. We also note that the Advertisement was classified and received CAD approval based on the advertisement meeting Ad Standards requirement.

Australian Association of National Advertisers Code of Ethics (Code of Ethics)

With respect to section 2 of the Code of Ethics, I note that the Advertisement:

- *does not discriminate or vilify any person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, disability, mental illness or political belief (section 2.1);*
- *does not employ sexual appeal in a way that is exploitative or degrading of any individual or group of people (section 2.2);*
- *does not present or portray violence in any way (section 2.3);*
- *does not depict or treat sex, sexuality and nudity in any way nor without sensitivity to therelevant audience (section 2.4);*
- *does not use language which is inappropriate in the circumstances (section 2.5); and*
- *the Advertisement is clearly distinguishable as an advert and uses KFC branding to that effect(section 2.7).*

Therefore, for the reasons outlined above, KFC believes that the Advertisement complies with the Code of Ethics.

We trust this addresses the Complainant's concern.

THE DETERMINATION

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

The Panel noted the complainant's concern that the advertisement depicts unsafe behaviour.

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

Section 2.6: Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

The Panel noted that, historically, people have been advised not to overload power boards by plugging many appliances in at once, for example by using multiple double adapters, extension cords or other powerboards, due to the risk of fire.

The Panel considered that showing an overloaded powerboard such as the one in the advertisement would be considered by most members of the community to be normalising if not promoting unsafe behaviour.

The Panel determined that the advertisement was contrary to Prevailing Community Standards on health and safety.

Section 2.6 conclusion

The Panel considered that the advertisement did contain material contrary to Prevailing Community Standards on health and safety and determined that it did breach Section 2.6 of the Code.

Conclusion

Finding that the advertisement did breach Section 2.6 of the Code, the Panel upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The current TVC will be adapted to meet the safety standards required through a combination of edit changes and retouching removing the overloaded power board from the TVC.