



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0137/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Australian Fast Foods</b>
<b>3</b>	<b>Product</b>	<b>Food and Beverages - QSR</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>11/04/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

Advertising Message QSR - 4.1 - Advertising and Marketing Message

### DESCRIPTION OF THE ADVERTISEMENT

The “Family Dinner Your Way” advertisement depicts a mother bringing a tray of Red Rooster products to the dinner table where her family is sitting down ready to eat. The voiceover says “You deserve a night off. Buy a Red Rooster roast chicken and choose four sides (garlic bread, large potato and gravy, 4 nuggets, 10 spicy bites, large chips or large peas shown on screen) for \$10 more. Have the night off and eat well with Red Rooster’s family dinner, your way”.

### THE COMPLAINT

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

*We write to complain about the Red Rooster advertisement that we consider to be in breach of the Australian Quick Service Restaurant Industry Initiative for Responsible Advertising and Marketing to Children (QSR II).*

*We believe that the advertisement breaches clause 4.1 of the QSR II because it is Advertising and Marketing Communication to Children for food (Red Rooster roast chicken and sides). The advertisement was directed to children as it was shown multiple times during 4 different programs which are popular with children including Home and Away Alice in Wonderland Lemony Snicket’s A Series of Unfortunate Events and Wild Vets.*

*Broadcast*

*On 9th March 2012 at 7.13pm on Sydney Channel 7 during Home and Away. This program is rated PG.*

*On 10th March 2012 at 5.23pm on Sydney Channel 7 during Wild Vets. This program is rated G.*

*On 10th March 2012 at 8.59pm on Sydney Channel 7 during Alice in Wonderland. This movie is rated G.*

*On 11th March 2012 at 3.22pm on Sydney Channel 7 during Lemony Snicket's A Series of Unfortunate Events. This program is rated PG.*

*Advertising and Marketing Communication to Children*

*This advertisement was broadcast during 4 television programs on Channel 7 which are all popular with children. Alice in Wonderland is particularly of appeal to children with a G rating and was shown during a Saturday family movie timeslot.*

*Nutrition criteria*

*The nutrition criteria for assessing meals outlined in clause 3 of Appendix 1 of the QSR II require that a meal must not exceed maximum limits of 2770kJ for children 9-13 years saturated fat (0.4g per 100KJ) sugar (1.8g per 100KJ) and sodium (650mg per serve). A standard Red Rooster family roast meal contains 9800mg sodium which would need to be divided among 15 children to reach the sodium per serve cut off of the QSR II nutrient criteria for sodium. Clearly the advertised meal is not a healthy option for children.*

*Under the QSR II Core Principle 4.8 nutrition information must be available on company websites or upon request but we were not able to obtain the nutrition information for this meal.*

## **THE ADVERTISER'S RESPONSE**

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

*Your comprehensive comments in relation to the complaint*

*Please find below three key areas (labelled A-C) identified by the complainant and Red Rooster's response to each.*

*A. Deliberately targeting children*

*Red Rooster's core demographic is 25-39 year olds and all our advertising and marketing communications materials are designed with that group firmly in mind. The creative treatment of the Family Dinner Your Way, is intended to depict a scenario that is relevant to our core demographic, which is why it is set within a family home with a specific focus on the mother as the primary provider of the meal. The scenario does not contain creative devices such as music, graphics or visuals that could be deemed to be fundamentally appealing to children. Since signing the QSR II Red Rooster has ceased advertising children's meals on television and within all other environments. The only location where Little Red Rooster meals are promoted is within the store environment.*

*B. Alleged breach of Clause 4.1 QSR II for advertising foods that exceed the nutrition criteria of the code.*

*The Family Dinner Your Way meal deal was created with a clear intent to appeal to Red Rooster's target demographic of people aged 25-39. The deal comprises choices of dinner components with the intent being to share the meal amongst multiple recipients.*

*The scenario used in the advertisement deliberately depicts a family of adults and children sitting down to eat at the family dinner table. The QSR II is intended to ensure that direct promotion and advertising to children (under 14 years) represent healthier meal choices.*

*Given that Red Rooster's core demographic are not children, this advertisement was not intended to conform with the nutritional criteria of the QSRII.*

*C. Broadcast during PG & G rated programs*

*The programs mentioned by the complainant are promoted by the network as appealing to the family market which typically includes 25-39 year olds (Red Rooster's core demographic) who make meal purchasing decisions on behalf of the family.*

*Lemony Snickets, Home and Away and Alice in Wonderland carried a "PG" classification. While the "G" classification attained for the Family Dinner Your Way means that Red Rooster was permitted to advertise within these programs.*

*Data retrieved from Mitchell and Partners (Red Rooster's nominated media agency) showed that the percentage of adult viewers were: Wild Vets 97%, Home & Away 83%, Lemony Snickets 72% and Alice in Wonderland 72%. Red Rooster is therefore of the view that while there was a percentage of child viewers in these programs, none could be described as being primarily directed to children or likely to have predominantly child audiences.*

*Red Rooster continues to work with our media buyers regarding the placement of ads during children's programming and we continue to reiterate our instructions on a monthly basis.*

*D. No nutritional information available*

*Red Rooster provides full nutritional information on its websites at: [www.redrooster.com.au](http://www.redrooster.com.au) and upon request in store via a brochure. Given that the "Dinner Your Way" deal comprises a number of choices for the customer to make, it is not possible to provide a summary of the total NI of the deal, because we don't know what the customer will choose.*

*For example some of the combinations could be:*

*Whole chicken, 2 peas, garlic bread, chips*

*Whole chicken, 1 peas, 1 spicy bites, 1 mash, 1 garlic bread*

*Whole chicken, 3 garlic bread, 1 peas*

*Whole chicken, 1 chips, 2 mash, 1 garlic bread*

*With 36 different meal combinations possible, customers would need to visit the Red Rooster website and add the kJ's together based on the specific components they have chosen (all of which are fully available on the site).*

## **THE DETERMINATION**

The Advertising Standards Board ('The Board') considered whether this advertisement breaches the Australian Quick Service Restaurant Industry Initiative for Responsible Advertising and Marketing to Children (the QSR Initiative), the AANA Code for Advertising and Marketing Communications to Children, the AANA Food and Beverages Advertising and Marketing Communications Code and Section 2 of the AANA Advertiser Code of Ethics (the "Code").

The Board noted the complainant's concern that the advertisement is directed to children, promotes unhealthy food to children and that the nutritional information for the advertised product is not available on the advertiser's website.

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

The Board noted that the QSR Initiative is designed to ensure that only food and beverages that represent healthier choices are promoted directly to children.

The Board noted that the QSR Initiative applies to ‘advertising or marketing communications to children’ which means ‘advertising or marketing communications which, having regard to the theme, visuals and language used, are directed primarily to children and are for food and/or beverage products.’ Under this initiative children means “persons under the age of 14 years of age.”

The Board noted that the program in which the advertisement is shown is not relevant to the determination of whether or not an advertisement is directed primarily to children.

The Board noted that the advertisement features a description of the Family Dinner and the different options available. The Board considered that the meal as described in this advertisement and the images of the components of the meal which do not include any child focused products would have principal appeal to adults. The Board considered that the language used in the voiceover was aimed at adults.

The Board considered that the overall theme (the Family Dinner meal), visuals (a woman serving the meal to her husband and children) and the language used are not directed to children. The Board considered that this advertisement is not directed primarily to children and therefore that the provisions of the QSR Initiative do not apply.

The Board considered the advertisement under the AANA Code for Advertising and Marketing Communications to Children. The definition of what is advertising and marketing communications to children' in the AANA Children's Code is largely the same as that in the QSR Initiative. For the same reasons noted above, the Board considered that this advertisement is not primarily directed to children; therefore the provisions of the Children's Code are not applicable in this case.

The Board considered the AANA Food and Beverages Code (Food Code). The Board considered section 2.1 of the Food Code which provides:

'Advertising or marketing communications for food ...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 the provisions of the Food Code do oblige advertisers to provide nutritional information on their website and considered that the advertisement does not make any references to nutritional values or health benefits which would be in breach of this section of the Food Code. The Board determined that the advertisement did not breach Section 2.1 of the Food Code.

Finding that the advertisement did not breach any of the Codes on any grounds, the Board dismissed this complaint.