



**ADVERTISING  
STANDARDS  
BUREAU**

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## Case Report

1	Case Number	0156/12
2	Advertiser	Campbell's Australia
3	Product	Food and Beverages
4	Type of Advertisement / media	TV
5	Date of Determination	09/05/2012
6	DETERMINATION	Dismissed

### ISSUES RAISED

Food and Beverage Code    healthy lifestyle/excess consumption  
Advertising to Children Code 2.15 Food and beverages  
Advertising Message    AFGC - Advertising Message

### DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens on five silhouettes dancing against a blue background to upbeat music. A light strobes to expose the centre silhouette as Arnott's Big Tedz. Four kids – two on either side of Big Tedz – are energetically copying his dance moves while remaining in silhouette. The Big Tedz character then spins quickly and turns into the real biscuit, shown with a splash of chocolate on his back. All the while, the silhouettes of the kids remain dancing in the background. With another spin, Big Tedz transforms into the packaged product and lands in a lunchbox alongside a salad sandwich, an apple and some raw carrot sticks. Mum's hand then comes into view, closing the lunchbox with a reassuring pat. The shot then extends to the end-frame, which shows the lunchbox with the three, new Big Tedz SKUs in the background.

### THE COMPLAINT

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

*This advertisement is in breach of the AANA Code for Advertising & Marketing Communications to Children and the Responsible Children's Marketing Initiative of the Australian Food and Beverage Industry.*

*We believe the ad breaches clause 2.15 (a) of the AANA Code for Advertising & Marketing Communications to Children as it encourages the consumption of unhealthy food.*

*It also breaches the core principles of the Responsible Children's Marketing Initiative of the Australian Food and Beverage Industry because it advertises an unhealthy product to children under 12.*

*The advertisement was directed to children as it was shown during Bee Movie which is rated G and is popular with children being an animated movie. The advertisement itself was appealing to children as it showed a dancing animated bear (Big Ted) along with 4 children dancing in the background. The voiceover uses the term "get down" to appeal to children and seem popular and "cool". Being shown in a school lunchbox at the end of the advertisement encourages children to ask their parents to provide it as part of their school lunch.*

*This ad is for a product aimed at children- chocolate biscuit snack food Big Tedz.*

*Nutrition Information*

*1 serve = 1 biscuit = 19.4g = 376kJ 2g sat fat 5.7g sugar 65mg sodium 1.0g fibre*

*Per 100g = 1940kJ 10.1g sat fat 29.5g sugar 334mg sodium 5.2g fibre*

*The Dietary Guidelines for Children and Adolescents in Australia advise "Consume only moderate amounts of sugars and foods containing added sugars" and "limit saturated fat and moderate total fat intake". These biscuits are not a healthy dietary choice as they are high in sugar and saturated fat.*

## **THE ADVERTISER'S RESPONSE**

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

*The advertisement in question:*

- Is no longer airing on television*
- Was aired during Bee Movie, a family comedy with a G rating.*

*Regardless of the above, the advertisement in question was aired during other programs defined as 'media' in the AFGC's Responsible Children's Marketing Initiative (RCMI).*

*Arnott's takes its commitment to responsible marketing to children very seriously. We do not believe the advertisement in question breached Section 2 of the Advertiser Code of Ethics including the AANA Code for Advertising and Marketing Communications to Children (section 2.15 a). Nor do we believe it breached the RCMI given it complied with each of its core principles, as set out below:*

*1. The product represents healthy dietary choices, consistent with established scientific or Australian government standards*

*Arnott's understands that different stakeholders hold different opinions about what products represent healthy dietary choices. To avoid subjectivity, Arnott's defers to The Australian Guide to Healthy Eating, which defines foods that do not fit into the main food groups - such as Tiny Teddy 'Big Tedz' biscuits - as 'extra' foods.*

*The Guide clearly states:*

- Extra foods can add to the enjoyment of a healthy diet and should be chosen sometimes or in small amounts*
- The range for people between four and eleven years is between 0 and 2 sample serves of extra foods each day*

*- For people between twelve and eighteen years, the range for extra foods is between 1 and 3 sample serves each day*

*- A sample serve of extra foods is the amount of food that provides 600 kJ.*

*Based on the above, one serve (19.4g) a day of Arnott's Tiny Teddy 'Big Tedz' biscuits, which provides less than 400kJ on average across the range, has a legitimate role to play as part of a healthy, balanced diet. This is further endorsed by the fact one serve of Arnott's Tiny Teddy 'Big Tedz' meets the amber nutrient criteria for the New South Wales Healthy School Canteen Strategy Fresh Tastes @ School Program. This program, which also incorporates recommendations from the NH&MRC Australian Guide to Healthy Eating and the Australian Dietary Guidelines for Children and Adolescents, was used to determine which of our products may be considered acceptable for advertising to children under 12 years.*

*Arnott's clearly states the 19.4g serve size on all its Tiny Teddy 'Big Tedz' packaging. And to further demonstrate our commitment to responsible marketing to children, Arnott's voluntarily places the following statement on the outer packs of all Tiny Teddy products, including 'Big Tedz'. The statement is aimed at encouraging both parents and children to better understand the legitimate role one serve of Tiny Teddy biscuits can play as part of a healthy, balanced diet:*

*'Amber' foods can be enjoyed as part of a balanced diet but should be selected carefully. They should not dominate the menu at the expense of healthier choices. One serving a day, within the context of a healthy lifestyle and diet, is acceptable. Multiple servings should be avoided.*

*2. The advertising and/or marketing communication activities reference, or are in the context of, a healthy lifestyle, designed to appeal to the intended audience through messaging that encourages (i) Good dietary habits, consistent with established scientific or government criteria; and (ii) Physical activity.*

*The advertisement in question builds on the overall Tiny Teddy creative theme, which has formed the basis for all Tiny Teddy advertising since mid-2010. Arnott's went to great lengths to develop this theme, which is based on active play through dance, to encourage both good dietary habits and physical activity.*

*(a) Good dietary habits*

*The advertisement clearly heroes a 19.4g, individual-serve Tiny Teddy 'Big Tedz' biscuit in the context where it belongs - as one part only of a healthy, balanced lunchbox, alongside a salad sandwich, a piece of fruit and raw vegetable sticks.*

*(b) Physical activity*

*The advertisement was also carefully created to actively encourage children to take part in physical activity via its 'Get Dancing' theme. In the voice-over, viewers are encouraged to 'Get down with Big Tedz' by copying a variety of his dance moves.*

*The voiceover in the advertisement also states "Arnott's, the favourite snack to pack", not "Arnott's, the safest snack to pack", as incorrectly stated by the complainant.*

*Based on all the above information, we do not believe the advertisement in question ever breached Section 2 of the Advertiser Code of Ethics including the AANA Code for Advertising and Marketing Communications to Children (section 2.15 a). Nor do we believe it breached the RCMI.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches

The Responsible Children’s Marketing Initiative of the Australian Food and Beverage Industry (“RCMI”), the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code), or the AANA Code for Advertising and Marketing Communications to Children (the Children’s Code).

The Board noted the complainant’s concern that the advertisement encourages the consumption of an unhealthy product to children.

The Board viewed the advertisement and noted the advertiser’s response.

In order for the Board to consider the advertisement within the scope of the RCMI, the Board would first need to determine whether the advertisement was directed to “...audience that is predominantly children and/or having regard to the theme, visuals, and language used are directed primarily to children...”

The Board noted that the Bee Movie in which the advertisement was aired is rated G and would appeal to children, and the advertiser confirmed that the intended audience was children and that the advertisement was broadcast during other programs defined as ‘media’ by the RCMI.

As the advertisement is broadcast within children’s media, the RCMI provides that the product advertised must meet the ‘healthy dietary choices’ standards agreed to by the company. The Board noted that the Independent Arbiter for the RCMI has confirmed that the product meets the nutritional standards that Campbell Arnott’s committed to under the RCMI and is a healthy dietary choice within the terms of the RCMI.

The Board then considered whether the advertisement complied with the messaging requirements of the RCMI. Under the RCMI the product advertised must represent a healthier dietary choice and ‘the advertising and/or marketing communications reference, or are in the context of, a healthy lifestyle, designed to appeal to the intended audience through messaging that encourages:

- Good dietary habits, consistent with established scientific or government criteria; and
- Physical activity.

The Board noted that the advertisement describes the product as a ‘favourite snack’ and depicts the product being placed into a lunch box with a multigrain salad sandwich, an apple and carrot sticks. The Board considered that the advertisement is encouraging a healthier choice product being consumed as part of a healthy balanced lunch. The Board considered that this element of the advertisement did encourage good dietary lunch habits for children.

The Board noted that the advertisement must also encourage physical activity. The Board noted that the theme of the advertisement is children dancing and the advertisement states ‘get down with Big Ted.’ The Board determined that the advertisement’s depiction of

children dancing and the encouragement to join in amounted to messaging that encourages physical activity.

The Board determined that the advertisement complied with the advertising messaging requirements of the RCMI and, having considered the other provisions of the RCMI, determined that it did not breach the RCMI.

The Board then considered whether the advertisement complied with the AANA Children's Code. To come within the Children's Code the advertisement must be 'primarily directed to children and be for a product of principal appeal to children.'

The Board then considered with regard to the theme, visuals and language, whether the advertisement is directed primarily to children. The Board considered that the theme, visuals and language are primarily directed to children, although there is also a clear message to parents to purchase the product. The Board also agreed that the product is targeted to children. The Board determined that the advertisement is directed primarily to children and is for a product aimed for children so the AANA Code for Advertising and Marketing Communications to Children applies.

The Board considered the provisions of the Children's Code. The Board considered that the advertisement does not breach clause 2.15 of the Children's Code in that it does not encourage nor promote an inactive lifestyle or unhealthy eating or drinking habits.

Considering the other provisions of the Children's Code, the Board determined that the advertisement did not breach the AANA Children's Code.

The Board noted that the product advertised is food and that therefore the provisions of the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code) apply. In particular the Board considered section 2.2 of the Food Code which provides:

'Advertising or Marketing Communications for Food or Beverage Products shall not undermine the importance of healthy or active lifestyles nor the promotion of healthy balanced diets or encourage what would reasonably be considered as excess consumption through the presentation of product/s or portion sizes disproportionate to the settings portrayed or by means otherwise regarded as contrary to Prevailing Community Standards'

The Board noted that 'prevailing community standards' means the community standards determined by the Advertising Standards Board as those prevailing at the relevant time, and based on research carried out on behalf of the Advertising Standards Board as it sees fit, in relation to the advertising or marketing of food or beverage products taking into account at a minimum, the requirements of the Australia New Zealand Food Standards Code, the Australian Dietary Guidelines as defined by the National Health and Medical Research Council and the National Physical Activity Guidelines as published by the Federal Government of Australia.'

The Board noted the explanatory notes to the Food Code prepared by AANA which, in relation to Section 2.2, provide:

‘In testing whether an advertising or marketing communication undermines the importance of a healthy lifestyle, the Board will consider whether the communication is disparaging of healthy foods or food choices or disparaging of physical exercise.

Such disparagement need not be explicit, and the Board will consider the message that is likely to be taken by the average consumer within the target market of the communication’.

‘In testing whether an advertising or marketing communication encourages excess consumption through representation of products or portion sizes disproportionate to the setting portrayed, or by any other means contrary to prevailing community standards, the Board will consider whether members of the community in the target audience would most likely take a message condoning excess consumption.’

The Board noted that the television advertisement showed only one biscuit being placed in the lunch box and the voice over refers to the biscuit as the ‘favourite snack to pack’. The Board agreed that this message was indicative and supportive of the idea that the biscuit would best be consumed as a snack rather than as the entire meal or that it should be consumed in excess.

The Board determined that the advertisement did not undermine the promotion of a healthy balanced diet and did not encourage excess consumption and therefore did not breach Section 2.2 of the Code.

Finding that the advertisement did not breach the RCMI, AANA Food Code or AANA Children’s Code on any grounds, the Board dismissed the complaint.