



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0177-20
2. Advertiser :	Hungry Jacks
3. Product :	Food/Bev Venue
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	10-Jun-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This television advertisement depicts YouTube footage of various people while they are staying at home in social isolation to prevent the spread of COVID-19. There is a series of one second clips including a man using toilet paper as pretend weights, a girl 'swimming' down her hallway on a skateboard, a man playing soccer alone on his bed, and a man pretending to be DJ using his stove as a music mixing station. The advertisement then depicts the preparation of a Hungry Jacks burger (the grill) and the burger.

THE COMPLAINT

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

Children could see this inappropriate. Their advertising previously good.

It will be viewed as a game of which it is not and totally dangerous.

THE ADVERTISER'S RESPONSE



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

We write in response to the complaint received on 20/05/2020 about the Hungry Jack's delivery ad which included YouTube footage of people doing 'crazy' things while they are staying at home in social isolation to prevent the spread of COVID-19. There was a series of one second clips including a man using toilet paper as pretend weights, a girl 'swimming' down her hallway on a skateboard and a man pretending to be DJ using his stove as a music mixing station.

The footage used in this advertisement is footage is from a global advertising campaign developed by our parent company Burger King. It has appeared worldwide on the internet and in the following international markets:

US

Brazil

Indonesia

Mexico

Chile

Colombia

Guatemala

Cayman

El Salvador

Russia

Germany

The 15 second adaption for the Australian market, appeared on metro and regional television nationally from May 18 to 25. In addition, there was a 6 second cut down that will continue to run on digital channels until June 2.

As requested, below are comprehensive comments in relation to the complaint for the entirety of Section 2 of the AANA Code of Ethics.

- 2.1 - This advertisement does not breach any discrimination of vilification codes*
- 2.2 – This advertisement is not exploitative or degrading*
- 2.3 – This advertisement does not show any violence*
- 2.4 – This advertisement does not feature any sex, sexuality or nudity*
- 2.5 – This advertisement does not have any offensive language*
- 2.7 – This advertisement is clearly distinguishable as advertising*
- 2.6 - Health and Safety*

The complaint relates to the viewers concern that this ad contravenes health and safety codes because if children are exposed to this ad they may mimic it and play with a stove.

At Hungry Jack's we aim to create good moments over great tasting food and we of course never wish to offend or cause distress to any of our customers, or the wider public.



This advertisement actively encourages people to stay at home in support of the government's request for people to socially isolate to prevent the spread of COVID-19 by encouraging our customers to get delivery instead of going out. It taps into the light-hearted cultural trend that we've witnessed overseas and locally as the community finds ways to communicate in "lockdown" during the COVID-19 global pandemic.

The ad is aimed at our adult consumers aged 18-39 years old who frequently use digital apps such as Menulog and Uber to order meals for delivery. These viewers aged 18-39 years old are prone to share short clips of activities they have been up to/funny/light-hearted content on social media platforms such as Facebook, Instagram or TikTok.

This commercial does not feature children and certainly was not targeted to children. As per the AANA Food and Beverages Marketing and Communications Code Hungry Jack's does not target children nor does our advertising appear within children's programming. As signatories to the Quick Service Restaurant Initiative for Responsible Advertising to Children, we have proudly abided to the guidelines. We can confirm that this piece of advertising has only been placed in media that targets an age group of 18-39 years. It is not directed at children.

The complaint specifically mentions the act of a male adult who is "pretending" to DJ on a kitchen stovetop as he is bored in isolation at home. The stove is not on. There is no link to gamification. Hungry Jack's is not suggesting that others should copy this behaviour. There is no visual or audio cue from Hungry Jack's to suggest this is a competition or directive to copy this at home, rather we are suggesting that ordering Delivery for Dinner is a distraction/solution to the "boredom" state of mind which would lead people to share such videos.

The scenes depicted are adapted from an international ad that has been run globally on digital channels prior to appearing on Australian television. There were no reported issues or concerns raised by our international team and the creative was considered appropriate for the Australian audience.

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 material that is unsafe for children to view.

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

The Panel considered whether the advertisement complied with Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall



not depict material contrary to Prevailing Community Standards on health and safety”.

The Panel noted that the advertisement is a collection of videos of people who are trying to entertain themselves while under lockdown for COVID19.

The Panel noted the advertiser’s response that the stove is not on. The Panel considered that this statement is incorrect as flames can be seen at 5 seconds in the advertisement, however the Panel noted that this scene is fleeting and not clearly identifiable.

The Panel considered that the advertisement is intended to be a comedic reference to current behaviour and although the scene depicts a man pretending to DJ on his cooktop, most members of the community would not consider the advertisement to be seriously promoting or encouraging such an action.

The Panel noted the complainants’ concern that a child could copy this behaviour. The Panel noted that a child attempting to use a cooktop unsupervised would be unsafe in any circumstance but the Panel considered that that does not mean that advertisers cannot use such an appliance in their advertisements. The Panel considered that many children would not recognise that the man is pretending to be a DJ as young children may not be familiar with how a DJ performs the role, and the Panel considered that the depiction of the use of the cooktop in the manner depicted in the advertisement is unlikely to be copied by children.

The Panel considered that most members of the community would consider the advertisement to be a humorous collection of videos showing the extent of boredom when stuck at home for long periods of time during the COVID19 pandemic and not a depiction which is intended to encourage young people to imitate the behaviour.

The Panel considered that the advertisement did not contain material which would be contrary to Prevailing Community Standards on health and determined that it did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.