



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

## Case Report

1	<b>Case Number</b>	<b>0180/18</b>
2	<b>Advertiser</b>	<b>Yum Restaurants International</b>
3	<b>Product</b>	<b>Food / Beverages</b>
4	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
5	<b>Date of Determination</b>	<b>24/04/2018</b>
6	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.3 - Violence Cruelty to animals

### DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a man wildly barking at his neighbour's cat. The cat jumps off the fence and the man notices that his neighbour is watching. The man asks 'did someone say KFC?'. The man and a colleague are then seen eating burgers in an office.

### THE COMPLAINT

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

*I am offended by this ad because it promotes cruelty to animals.*

*I find it disturbing to think that tormenting an animal is acceptable and ? Funny.*

*It amounts to abuse of an animal and is an appalling example for children. This will most likely encourage those inclined to animal abuse to imitate it.*

*The ad shows a cat sitting out the front of it's house on a ledge between it's house and the neighbors house. It is resting on the ledge and a man comes up and barks*





*aggressively at the cat. The cat gets scared and runs away. This sends a message that verbally scaring and abusing an animal that is non aggressive, is ok. This especially gives the wrong message to children, who may get attacked by a cat if they scare it. I will also be complaining to the RSPCA.*

*The man harasses an innocent cat by barking aggressively at it until the cat leaves. What a poor example of animal cruelty for people to copy. The neighbors disgust represented by facial scowl is shared by the majority of society including my FAMILY who have decided to not purchase KFC again as a protest against their marketing strategy of promoting animal cruelty coupled with the man's ignorance of the intimidation of an animal sorted by eating a burger. Disgraceful role modelling KFC.*

*Since when did it become acceptable to harass animals to sell human food? This is ad has also been shown during prime time television. The way the male is going on, in this ad, would draw the attention of younger children and sends a message that teasing animals is fine. Haven't the RSPCA gone to great lengths to educate children on how to treat animals properly? Are there not laws/rules about the use of animals in advertising?*

## **THE ADVERTISER'S RESPONSE**

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

*Advertisement description:*

*The advertisement to which the Complainants refer to is a television commercial for KFC's The Big Cheese Burger (Advertisement). The Advertisement is targeted towards adults and will be advertised until 16th April 2018.*

*The Advertisement opens on a sleepy neighbour's cat on top of a wall dividing two neighbouring properties. The cat looks directly at the camera with a mean look on its face, and the main character stares back at the cat (he is a respectable looking 40-year-old office worker on his way to work).*

*The main character starts barking wildly at the cat, acting like a dog. The cat runs off. He stops barking and smiles looking satisfied.*

*When the main character opens his eyes and looks back at the wall, his grin drops as his neighbour (an older lady) appears over the wall leering back at him. The moment is extremely awkward. He suddenly asks... "Did someone say KFC?"*

*The Advertisement cuts to the main character eating a Big Cheese burger with a colleague at work. Both of them are lost in the food. They eat the burger and laugh off*



*his moment with his neighbour's cat.*

*Cad Number:*

*The CAD number, reference and rating for the Advertisement is:*

- *CAD Number – W5JUTERA*
- *CAD Job Reference – 2165985*
- *Rating – W*

*The Complaints & Relevant Codes*

*The Complainants have expressed concern regarding the treatment of the cat by the main character in the Advertisement, and the impact that would have on children.*

*Section 2 of Australian Association of National Advertisers Code of Ethics (Code of Ethics) is cited as relevant, and in particular sections 2.3 with regard to violence against animals.*

*Has the Code of Ethics been breached?*

*KFC considers that the Advertisement does not breach the Code of Ethics.*

*KFC's Marketing Strategy*

*The campaign aims to celebrate KFC's personality which is cheeky, charming and genuine. KFC has strived to create a unique campaign that resonates with an adult audience that is young-at-heart and open to seeing the lighter side of life.*

*The Advertisement is purposely designed to fit within the campaign's objectives.*

*Alleged portrayal of violence against the cat*

*KFC is of the view that the Advertisement does not in any way depict violence, intent of violence or any form of cruel treatment of the cat and complies with section 2.3 of the Code of Ethics.*

*The Advertisement is intended as a playful illustration of the long standing 'cat versus dog' storyline which remains prevalent in popular culture. The delivery of the Advertisement is humorous.*

*The cat is depicted as a stereotypical smug character sitting on a boundary wall. This invokes the actions of the main character which reflect a silly, playful, non-physical and non-threatening outburst mimicking a typical reaction of a dog when it*



*encounters a cat sitting on its boundary wall.*

*With respect to other sections 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 depict or treat sex, sexuality and nudity in any way nor without sensitivity to the relevant audience (section 2.4)*
- *uses appropriate language (section 2.5)*
- *does not depict any material contrary to Prevailing Community Standards on health and safety (section 2.6)*

*Therefore, for the reasons outlined above, KFC believes that the Advertisement complies with section 2 of the Code in its entirety.*

*Lastly, we note that the Advertisement has a W rating and was screened on television during appropriate hours to target an adult audience not children. Please refer to the attached programming schedule for broadcasts.*

*We trust this addresses the Complainants' concerns.*

## **THE DETERMINATION**

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

The Panel noted the complainants' concerns that the advertisement promotes cruelty to animals.

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

The Panel noted that this television advertisement shows a man barking at a cat on a wall. The Panel noted that the advertisement received a W rating by CAD (general care in placement and not in children's programs) and was aired at a time appropriate to the rating ([http://www.freetv.com.au/media/CAD/Placement\\_Codes.pdf](http://www.freetv.com.au/media/CAD/Placement_Codes.pdf)).

The Panel considered whether the advertisement breached Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".



The Panel noted the complainants' concerns that the advertisement shows a man barking aggressively at a cat until the cat leaves, which constitutes animal abuse and should not be shown to children.

The Panel noted the advertiser's response that the advertisement was targeted towards adults and screened in appropriate timeslots.

The Panel noted the disinterested and impassive expression of the cat whilst the man is barking.

The Panel considered the advertiser's response that the advertisement is a humorous delivery of a stereotypical 'cat versus dog' storyline.

The Panel considered the level of threat in this scene to be mild. The Panel noted we do not see the cat hurt or distressed, and the cat appears to be unaffected before leaving. The Panel considered that the man's behaviour cannot be regarded as cruelty as such, as the behaviour did not cause physical or mental harm to the cat.

The Panel determined that the advertisement does not depict or condone cruelty to animals. The Panel considered that the advertisement did not breach Section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.

