



ADVERTISING  
STANDARDS  
BUREAU

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## Case Report

|   |                               |                              |
|---|-------------------------------|------------------------------|
| 1 | Case Number                   | 0185/14                      |
| 2 | Advertiser                    | Smith's Snackfood Co Ltd The |
| 3 | Product                       | Food and Beverages           |
| 4 | Type of Advertisement / media | TV                           |
| 5 | Date of Determination         | 11/06/2014                   |
| 6 | DETERMINATION                 | Dismissed                    |

### ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

### DESCRIPTION OF THE ADVERTISEMENT

We open on a sailing boat caught in a storm. Our hero stands on deck amidst the chaos, his eyes fixed on the horizon as the waves crash over the railing, slashing him.

Cut to young woman preparing a salad dressing on a counter in a boutique deli. The girl reaches for a bottle of balsamic vinegar and carefully pours from the black bottle of balsamic into a clear mixing bowl.

The sailor enters the shop through the front door of the deli as the girl tastes the mixture from the mixing bowl. The girl looks up, gasps with delight, and dashes towards the sailor.

The couple kiss in the middle of the deli. Halfway through the kiss, her eyes open and she pulls away for a moment. The moment passes and she 'comes back to Earth' to kiss her man again, partly to recreate the flavour sensation, partly to thank him for inadvertently leading to the discovery.

We cut to a close up of the Red Rock Deli Sea Salt and Balsamic Vinegar pack and a bowl of chips sitting on table.

### THE COMPLAINT

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

*This type of advertisement showing too much torrid kissing should be advertised late night when kids are not watching. I think this type of advertisement is not good for young children to view.*

## **THE ADVERTISER'S RESPONSE**

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

*Red Rock Deli is a premium potato chip targeted at adults. The Red Rock Deli advertisement referred to by the complainant, focuses on the Sea Salt and Balsamic Vinegar flavour. The campaign has been on air in metropolitan and regional markets starting 27th April, 2014 in 30 second and 15 second spots. However the commercial originally went to air more than 4 years ago on 21st March 2010.*

*Children are not the market for this brand of chips and we do not wish to reach them with this advertising, which is targeted at adults (25 years plus.) The advertisement is not scheduled in children's viewing time nor is it knowingly placed in programs targeted at children.*

*In developing this commercial it was our intention to entertain adult viewers, not offend them. The advertisement playfully depicts, via a kiss, the discovery of a flavour creation - mixing balsamic vinegar with sea salt to create the unique taste of Red Rock Deli's Sea Salt & Balsamic Vinegar Potato Chips.*

*The kiss is welcoming and romantic and is between two adults who clearly have affection for each other – it is not “torrid”, nor sexual. Our girl kisses her man again, partly to recreate the flavour sensation, partly to thank him for inadvertently leading to the discovery.*

*We assure the ASB that in scheduling the placement of the commercial we were mindful of the CAD “W” rating guideline as well as our commitments under the AFGC Responsible Children's Marketing Initiative (RCMI). The advertisement has not and will not knowingly be placed in programs that are promoted for viewing by children or likely to attract substantial numbers of children. All television programs in which the Red Rock Deli advertisement appears fall well below the children audience levels specified by the RCMI.*

*The time quoted by all complainant (6.30pm) at which she saw the advertisement for Red Rock Del, is outside children's television viewing times.*

*We have a responsibility to ensure our advertising and promotion meets appropriate community standards. We believe that we have met these standards.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant's concerns that the advertisement includes material of a sexual nature that is not appropriate for viewing by children.

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

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that the advertisement features a young woman in a deli preparing a salad dressing with balsamic vinegar. A man (a sailor) enters the deli and the woman embraces and

kisses him. She notices the salt on his skin due to the ocean water and she starts to kiss him more vigorously in appreciation of the discovery of the salt taste. The packet of Red Rock Seat Salt and Balsamic Vinegar is shown.

The Board noted that the theme of the advertisement was to show the connection between the salt and vinegar flavour of the chips and the discovery of the salt and vinegar combination by the girl in the deli.

The Board noted the complainant's concerns that the passionate style of kissing is inappropriate for viewing by children. The Board noted that the advertisement had been rated 'W' by CAD and considered that the level of intimacy shown is relatively mild and not inappropriate for a broad audience which would include children.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and determined that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.