



Case Report

1	Case Number	0199/13
2	Advertiser	Yum Restaurants International
3	Product	Food / Beverages
4	Type of Advertisement / media	TV
5	Date of Determination	26/06/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

The Advertisement opens with a man walking out of a KFC store holding a Hot & Spicy chicken box and eating a piece of chicken. Due to the heat and spiciness of the chicken the man is moved to tears and he wipes the tears from his eyes. The man walks past a pet shop window and we see a shot of puppies situated near the window. A female shop attendant observes the man outside the pet shop wiping his tears. These tears are mistaken by the female shop attendant as the man expressing his more sensitive or emotional side and she moves to comfort the man by giving him a hug outside the shop.

The Advertisement cuts to a scene showing another man sitting beside a river with a large boat passing by behind him. The man appears to be crying while holding and eating from a box of Hot & Spicy chicken. The Advertisement then cuts to the man on a boat surrounded by a group of partying females who show compassion towards the man as he continues to eat the chicken and wipe away his tears. All three scenes are accompanied by the music lyrics "When the world gets in your way. Embrace the tears don't wipe them away. When you cry, cry like a dude. You're a man, and the world..."

The Advertisement concludes with a close up shot of racks of Hot & Spicy chicken and the voiceover "Be moved by the unforgettable taste of KFC's Hot & Spicy." The disclaimer "Limited time only while stocks last at participating KFC stores" and KFC's Hot & Spicy Logo appear on screen. The super "Limited time only" and KFC's So Good Logo appear on

the end frame of the Advertisement.

THE COMPLAINT

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

I am offended by the objectification of women in the advert, which I believe is not abiding by 2.2 and 2.4 of the 2012 AANA code of ethics.

There is no correlation between women in bikinis on a boat, (pandering to an unattractive man's fantasy: that good looking women will surround him and feel sorry for him if he's crying) and chicken pieces from a fast food restaurant.

The advert is making a joke out of the compassionate side of women. It's showing an 'average bloke' can mislead women into thinking he's emotional, so that he can touch them (hug) and be pandered to by women.

There is no need for these women to be in bikinis to get the message across. It is creepy enough he is misleading a young attractive girl from a pet shop to show compassion and touch him.

This ad blatantly uses female sexuality to sell the ad - it uses partially clad young women to endorse an image of a plain man being made more sexually attractive to young sexually available women.

To create attention the ad used scantily clad women in sexually suggestive and provocative poses in fantasy scenes. The food and the presentation of women in the ad had no connection or reasonable association in my opinion and hence was a offensively sexist ad.

It is very poor taste, using women dressed like this to sell chicken, pathetic use of women by ad company. The women dancing around the man displays NOTHING to do with food whatsoever!!! Get the ad off tv, we are better than this rubbish!!!!

Notwithstanding the fact that it appeared during a family time slot (and was seen by my young daughter), I found the portrayal of women (and men) in this ad offensive. While the first part of the ad may be considered clever, the gratuitous use of female flesh in the later part of the ad, in which the women are pictured in various states of undress, and are seen pawing at the crying man (who is shown to be deliberately crying to gain this attention from the women) is extremely degrading and exploitative.

This advertisement denigrates and objectifies women, and suggests that women can be obtained through trickery.

It also re-enforces the stereotype of emotionless men.

THE ADVERTISER'S RESPONSE

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

We refer to your letter dated 7th June 2013 in relation to the above complaint made by an anonymous person ("Complainant"). As the Group Marketing Managers responsible for the relevant advertisement in this instance, we respond to the complaint as follows:

Relevant Codes

Australian Association of National Advertisers Code of Ethics ("the Code")

Section 2 of the Code has been cited as relevant, and in particular:

- Section 2.1 "Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief"; and*
- Section 2.2 "Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people".*

Australian Association of National Advertisers Food and Beverages Marketing and Communications Code {"F&B Code"}

There is no suggestion that the Advertisement breaches the F&B Code.

Australian Association of National Advertisers Code for Advertising and Marketing Communications to Children ("Children's Code")

There is no suggestion that the Advertisement breaches the Children's Code.

Has the Code been breached?

Firstly, the Advertisement's primary purpose is to engage and build relevancy with young male adults who are the target audience for KFC's Hot & Spicy chicken. To do so requires light hearted, tongue-in-cheek entertainment and humour; not dissimilar to the approach adopted for other male oriented marketing campaigns. In no way is the objective of the Advertisement to offend, discriminate against or vilify any person or section of the community on account of gender, be it male or female, age or sexual preference.

The execution of the Advertisement and the three scenarios depicted are designed to be comical and over the top exaggerations of how young males dream of interactions with females. Throughout the Advertisement, various shots are shown of the two men eating Hot & Spicy chicken with tears in their eyes. This is misperceived by the women in the Advertisement as the men expressing their more sensitive or emotional side, and as a result, the men appeal to the women who show compassion towards them. The scenarios are intentionally exaggerated to capture the imagination of the young male target audience. The Advertisement therefore uses the scenarios to play on the concept of the Hot & Spicy chicken

being so hot and spicy that it is capable of moving a man to tears.

Secondly, the Advertisement depicts a range of male and female characters in different scenes. The characters' wardrobe has been selected to match the context of each scene. In the first scenario, the female shop attendant at the pet shop is dressed in casual retail attire. The second scenario shows the boat passing by, presumably with women already onboard partying, before the man is invited on to the boat. The women shown in the second and third scenarios are portrayed partying on a boat, and as such, are dressed in typical attire for such an event. The Advertisement consistently focuses on the Hot & Spicy chicken being consumed by the men during each of the scenarios and does not use sexual appeal in a manner which is exploitative or degrading of women.

KFC actively promotes, supports and celebrates women in Australia. KFC is involved in conducting fundraising and supporting donations to the McGrath Foundation. The McGrath Foundation raises funds to place breast care nurses in Australian communities and promotes breast awareness in young Australian women. In addition, some of KFC's marketing campaigns focus on acknowledging the pivotal role that women play in society. For example, KFC's 2012 Mother's Day campaign provided a number of everyday Australians with the opportunity to feature in the campaign by personally saying thank you to their mothers via a KFC video 'Photo booth'.

Finally, we note that the Complainant viewed the Advertisement at approximately 6.10pm on Channel 10 during the broadcast of the television program "The Simpsons" which is rated G. KFC is a signatory to the QSR Initiative for Responsible Advertising and Marketing to Children. Pursuant to the AFGC QSR Initiative for Responsible Advertising and Marketing to Children, "The Simpsons" is not considered to be a program covered by the Initiative. The Advertisement is rated W and has therefore been broadcast in a timeslot appropriate for its rating.

Contrary to the Complainant's view, the Advertisement does not portray people or depict material in a way which discriminates against or vilifies any person or section of the community on account of gender, age or sexual preference, nor does it employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people. KFC considers that the Advertisement does not breach the Code. We trust we have addressed the Complainant's concerns.

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 complainants' concern that the advertisement presents women in a manner which is degrading, exploitative and not appropriate in the context of an advertisement for food.

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

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: “Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of...gender..”

The Board noted that the advertisement features men eating KFC Hot & Spicy chicken which makes their eyes water and thus makes them attract sympathy from women, which they encourage.

The Board noted the complainant’s concerns that the advertisement suggests that women can be “obtained through trickery” and considered that this interpretation of the advertisement would be unlikely to be shared by the broad community and that the most likely interpretation is that the woman are sympathising with the men for crying. The Board noted that there is no suggestion that the relationships between the men and women in the advertisement progress beyond the level of sympathy and considered that most members of the community would consider the concept of a man using fake tears to illicit attention from a woman to be amusing rather than discriminatory towards either gender.

The Board determined that the material depicted did not discriminate against a section of the community on account of gender and did not breach Section 2.1 of the Code.

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: “Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted the complainants’ concerns that the depiction of women in their bikinis is objectifying. The Board noted that the women are on a boat and considered that whilst some members of the community could consider the use of woman in bikinis in advertisements to be exploitative in the Board’s view their clothing is appropriate in the context of a boat setting and the women are all presented as confident and empowered. The Board considered that the women are not presented in a manner which is exploitative and degrading.

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading and did not breach Section 2.2 of the Code.

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”.

As already stated above, the Board noted the boat setting for the women in bikinis and considered that the clothing of the women is not inappropriate in that context and that the women are not behaving in a manner which would be considered sexual by most members of the community.

The Board noted that the relationships between the men and the women in the advertisement are not shown to progress beyond hugging and affectionate gestures and considered that the advertisement does not suggest sexual success for the men.

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.