



**Ad Standards** Community Panel  
PO Box 5110, Braddon ACT 2612  
P (02) 6173 1500 | F (02) 6262 9833

**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0208-20</b>
<b>2. Advertiser :</b>	<b>Craveable Brands</b>
<b>3. Product :</b>	<b>Food/Bev Groceries</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Free to Air</b>
<b>5. Date of Determination</b>	<b>8-Jul-2020</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

### DESCRIPTION OF ADVERTISEMENT

There are multiple versions of this television advertisement features a male standing in front of a mirror. He says a phrase in a squeaky voice, then eats one of the products, he then says the same thing in a much deeper voice. In three versions of the advertisement he then says the same thing again in an even deeper voice.

The phrases he says in the advertisement are:

- Come here often?
- Is this seat taken?
- Wanna hang out?

### THE COMPLAINT

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

*The ad states that the mans voice getting lower makes him better. There is a clear link between his lower voice and an improvement in him. It implies that men with lower voices are better, more attractive and more likely to be successful in asking someone out. Lower voices are associated with men who are more masculine and have higher testosterone levels. This ad is presenting a sexist stereotype that men are less attractive if they are less "manly," and that men are more attractive if they are more masculine.*



## THE ADVERTISER'S RESPONSE

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

*I refer to your letter dated 25 June 2020 and wish to respond to complaint 0208-20 on behalf of Craveable Brands, the owners of the Red Rooster brand and in my capacity as Director of Marketing.*

*Thank you for the opportunity to respond to this complaint. Red Rooster takes its advertising responsibilities very seriously and is mindful of its obligations under the Codes administered by the Panel.*

*Please find below details of our response and information about the specific Advertisement under complaint (also submitted electronically via the Ad Standards Advertiser Response Form)*

### *Advertiser Response:*

- The Advertisement for Red Rooster's Buttermilk Pops was developed and distributed by Red Rooster with the target audience being adults aged 18 years and over. The Advertisement forms part of a campaign for Red Rooster's Buttermilk Chicken Pops product and features a young man practicing lines in front of a mirror. There are several versions of the same Advertisement featuring different lines.*
- The Advertisement was featured on television and digital across various Metropolitan and Regional outlets. It features the Red Rooster brand and a call to action to order via Delivery.*
- The Advertisement uses tongue in cheek humour and is designed to resonate with a young 'millennial' target audience in particular.*
- The brand is making no claims that the change in voice is a claimed behaviour change or serious in nature*
- There is no suggestion that the man becomes more attractive / desired or more manly only that his voice changes in a tongue in cheek manner*

### *The Complaint*

- Red Rooster understands that the complaint was received on 23/6/2020 to the effect that the Advertisement is "presenting a sexist stereotype that men are less attractive if they are less 'manly' and that men are more attractive if they are more masculine".*

### *AANA Advertiser Code of Ethics*

- Section 2 of the AANA Advertiser Code of Ethics (and in particular Section 2.1 Discrimination or Vilification\Gender) has been identified as the particular section relevant to the complaint.*
- Red Rooster submits that the Advertisement does not portray people or depict material in a way that discriminates against or vilifies a person or section of*



- the community on account of gender (or race, ethnicity, nationality, age, sexual preference, religion, disability, mental illness or political belief)*
- *Red Rooster submits that the Advertisement does not depict a gender stereotype or depict unfair or less favourable treatment of the male gender. The Advertisement does not intend to humiliate or invite contempt or ridicule for the male gender and all care has been exercised when portraying the protagonist in this particular Advertisement.*
  - *Red Rooster submits that the Advertisement is appropriate for the relevant audience and medium and was intended to be a humorous and light heated depiction of one of their regular menu items - Buttermilk Chicken Pops. The Advertisement is meant to be all about the Pops - the Pops are presented as a moreish and delicious snack that provides surprise and delight with every bite. (as depicted by the changes in the protagonist)*

#### *The balance of Section 2*

- *Red Rooster is asked to comment on the application of the balance of section 2 of the AANA Advertiser Code of Ethics to the Advertisement, as to which Red Rooster submits that:*
  - a) *Section 2.2: The Advertisement does not employ sexual appeal where images of minors or people who appear to be minors are used (the Advertisement features no such images) nor in a matter that is exploitative and degrading of any individual or group of people*
  - b) *Section 2.3: The Advertisement does not present or portray violence*
  - c) *Section 2.4: The Advertisement does not contain any nudity, nor does it contain any sexual content, themes or innuendo.*
  - d) *Section 2.5: The Advertisement does not use strong or obscene language*
  - e) *Section 2.6: The Advertisement does not depict material contrary to prevailing community standards on health and safety*
  - f) *Section 2.7: The Advertisement is clearly distinguishable as an Advertisement to the relevant audience on account of its medium, location and subject matter*

#### *AANA Code for Advertising and Marketing Communications to Children*

- *The Advertisement is not primarily directed at children*
- *On the basis Red Rooster submits that the provisions of the AANA Code for Advertising and Marketing communications to Children do not apply to the Advertisement*

#### *AANA Food and Beverages Marketing and Communications Code*

- *Red Rooster is asked to comment on the application of the AANA Food and Beverages Marketing and Communications Code as to which Red Rooster submits that:*
  - a) *Section 2.1: The Advertisement is truthful and honest, is not misleading nor deceptive, does not otherwise contravene Prevailing Community Standards and is communicated in a manner appropriate to the level of understanding of the target audience. The Advertisement makes no nutritional or health claims.*
  - b) *Section 2.2: The Advertisement does not undermine the importance of healthy or active lifestyles or balanced diets, nor does it encourage excess consumption*



- c) Sections 2.3 and 2.4: The Advertisement makes no nutritional or health claims
- d) Section 2.5: The Advertisement makes no consumer taste or preference claims
- e) Section 2.6: The Advertisement makes no claims relating to the material characteristics of the product advertised
- f) Section 2.7: This section does not apply.
- g) Section 2.8: The Advertisement does not portray the Buttermilk Pops advertised as a meal substitute
- h) Sections 2.9 and 3: The Advertisement is unlikely to be understood by young children and is not inappropriate for a broader audience

*For the reasons above, Red Rooster submits that the complaint should be dismissed, and no further action taken.*

## **THE DETERMINATION**

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

The Panel noted the complainant's concerns that the advertisement suggests that men with lower voices are more attractive, masculine and manly, and that the advertisement presents a sexist stereotype that men are less attractive if they are less manly.

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

The Panel considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray 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.'

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule."

The Panel noted the advertiser's response that the advertisement is meant to be about how the product provides surprise and delight, and that there is no suggestion that the man becomes more attractive or more manly, only that his voice changes in a tongue-in-cheek manner.

The Panel considered that the advertisement's tone is light-hearted and fun. The Panel considered that the depiction of the man attempting a pick-up line in the mirror was a portrayal of the man's lack of confidence and that the deepening of his voice was a reflection of his confidence improving. The Panel considered the voice-over's comment that the products 'get better with every bite' is a comment about the product, and not about the man becoming better than he was before.



The Panel considered that the advertisement was humorous and light hearted and did not present a negative stereotype of the man or men in general. The Panel considered that the last baritone voice was exaggerated and added to the unrealistic nature of the advertisement.

The Panel considered that the man was originally portrayed as nervous, but was not portrayed in a negative light or depicted in a humiliating manner or as an object of ridicule. The Panel considered that the man was the only person in the advertisement and the man was not shown receiving unfair or less favourable treatment because of his original or changed voice.

Overall the Panel considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of gender and determined that the advertisement did not breach Section 2.1 of the Code.

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