



**ADVERTISING  
STANDARDS  
BUREAU**

Level 2, 97 Northbourne Avenue, Turner ACT 2612  
Ph: (02) 6262 9822 | Fax: (02) 6262 9833  
[www.adstandards.com.au](http://www.adstandards.com.au)

## Case Report

<b>1</b>	<b>Case Number</b>	<b>0222/12</b>
<b>2</b>	<b>Advertiser</b>	<b>McDonald's Aust Ltd</b>
<b>3</b>	<b>Product</b>	<b>Food and Beverages</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>13/06/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.3 - Violence Bullying

### DESCRIPTION OF THE ADVERTISEMENT

The advertisement features an animated McDonald's Happy Meal box taking a skipping rope off another Happy Meal box and then using that box as a skipping rope itself. We then see the contents of a happy meal (wrap, fruit and milk) and a child's voiceover describes the toys available with this month's Happy Meal.

### THE COMPLAINT

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

*This ad is a direct promotion of bullying tactics and violence.*

### 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 31 May and thank the Advertising Standards Bureau (ASB) for the opportunity to provide a response.*

*We do not consider that the television commercial (TCV) the subject of the complaint promotes any form of bullying tactics or violence. Further, we submit that the TVC is not in breach of the AANA Code of Ethics or the AANA Code for Advertising & Marketing Communications to Children (together Codes).*

*The TVC is an animated cartoon which includes two Happy Meal boxes playing together. Both of the characters are laughing and having fun and the TVC is intended to be humorous, light in tone and playful.*

*The term “bullying” implies that one person hurts, persecutes or intimidates another person. The term “violence” implies the use of marked or physical strength that is harmful or destructive. Our strong view is that bullying and violence are not present in the TCV and we respectfully submit that it would be taking the TVC out of context for the ASB to conclude that the TVC contained “bullying” or “violence”.*

*We request that the complaint be dismissed.*

## **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 concern that the advertisement promotes bullying tactics and violence.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 of the Code 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 Board noted the advertisement features an animated McDonald’s Happy Meal box taking a skipping rope off another Happy Meal box and then using that box as a skipping rope itself.

The Board noted the complainant’s concerns that the advertisement promotes bullying and violence and considered that whilst the box does not appear happy about handing over the skipping rope and then being used itself as a skipping rope it soon becomes clear that the box is happy and is enjoying its experience as a rope.

The Board noted that the advertisement is animated and that whilst the boxes do not speak, the sounds made by the box being used as a skipping rope are happy sounds and the overall impression is one of enjoyment and fun.

Based on the above the Board considered that the advertisement does not present, encourage or condone bullying or violence and determined 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 Board dismissed the complaint.