



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0224/10</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>09/06/2010</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

Product Placement    QSR - 4.3 - Product Placement

### DESCRIPTION OF THE ADVERTISEMENT

A young girl sits under a bright spotlight, holding a microphone and singing with all her might.

She becomes more and more involved in the song.

We cut back to the real world. Her two parents sit at the other end of the table. The mother nudges the father and motions for him to look at the daughter.

We cut to the daughter who is still singing, but is now within the real world of the McDonald's restaurant. She is holding her Seared Chicken Snack Wrap like a microphone

### THE COMPLAINT

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

*This advert was shown at 10am on a Saturday morning immediately before Saturday Disney a program directed at young children. This would contravene the Responsible Childrens' Marketing Initiative as it was advertising unhealthy food in an under 12 years old time slot.*

### THE ADVERTISER'S RESPONSE

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

*The advertisement in question does not breach the Australian Quick Service Restaurant Industry Initiative for Responsible Advertising and Marketing to Children (hereafter the "QSR Initiative"), because the meal option advertised meets the Nutrition Criteria set out in Appendix 1 of the QSR Initiative.*

*McDonald's Happy Meal menu is constantly evaluated and reviewed as we aim to stay relevant to families and provide healthier choices that are appealing to children. The meal option advertised is a McDonald's Happy Meal containing one seared chicken Snack Wrap, apple slices and CalciYum milk. This combination represents a healthier choice as determined by the Nutrition Criteria set out in the QSR Initiative, as the meal meets the defined criteria for energy (kilojoules), saturated fat, sugar and sodium. (Please see attached nutrition information for the Happy Meal components in the TVC).*

*McDonald's confirm that the advertisement in question meets all of the criteria of the QSR Initiative*

## **THE DETERMINATION**

The Advertising Standards Board (the Board) considered whether the advertisement met the requirements of the Quick Service Restaurant Marketing to Children Initiative (the QSR Initiative).

The Board noted the complainant's concern that the advertisement for a Happy Meal was broadcast during the Disney programming on Saturday morning and would therefore be in breach of the QSR Initiative as it was advertising unhealthy food in an under 12 time slot.

The Board noted that the QSR Initiative does not prohibit advertising all food to children under the age of 14. Rather the QSR Initiative requires members to only advertise 'healthier' food choices in children's programming.

The Board noted that section 4.1 of the QSR Initiative requires that:

'Advertising or marketing communications to children for food and/or beverages must: (a) represent healthier choices, as determined by a defined set of nutrition criteria for assessing children's meals (see Appendix 1).'

The Board noted that the advertised product is a Happy Meal containing a seared chicken wrap, apple slices and CalciYum milk. The Board noted the advice from The Independent Arbiter that:

'The commercial depicts a young girl with her parents at McDonald's eating a Happy Meal with the following products:

- The drink depicted is a CalciYum Flavoured Chocolate Milk

- The main food item depicted is a Seared Chicken Snack Wrap
- The side item depicted is the Apple Fruit Bag

Below are the nutritional values for the child's meal.

Product	Nutritional values for the child's meal		Energy (kJ)	Saturated fat (g)
	Sugar (g)	Sodium (mg)		
Milk	640	2.2	20.5	110
Snack wrap	868	2.4	1.5	305
Apple bag	153	0	6.9	0
<b>TOTAL</b>	<b>1661</b>	<b>4.1</b>	<b>28.9</b>	<b>315</b>

The Happy Meal advertised meets the nutrition criteria set out in Appendix 1 of the QSR Initiative.'

The Board also noted that there are other products depicted in the advertisement and that the Independent Arbiter commented that:

'We note that there are also other products depicted in the commercial in front of the parents, such as a burger and fries. It is unclear exactly which products are depicted; McDonald's should provide The George Institute and the ASB with this information but it is likely that these products would breach the criteria.

Product	Nutritional values for foods in front of the parents*		Energy (kJ)	Saturated fat (g)
	Sugar (g)	Sodium (mg)		
Large Fries	1900	2.9	0	435
Burger (assumed Big Mac)	2060	10.6	5.6	958
Large Coke	937	0	55.1	50
Large Diet Coke	9	0	0	75

The Board noted that there were products depicted in front of the adults but the only discernable product is chips. The Board considered that the products in front of the parents were not the focus of the advertisement, it was not possible to tell what the products were (apart from the chips) and the products were depicted very incidentally. The Board

considered that the other products were not being promoted to children and were not required to meet the requirements of the QR Initiative. The Board cautioned however that this does not mean that advertisements for children could include other products without breaching the QSR Initiative and that this decision turned on the depictions in this particular advertisement.

On the basis that the advertised product meets the criteria set out in Appendix 1, then the product is permitted to be advertised to children. The Board considered that the advertisement met the requirements of clause 4.1 of the QSR Initiative. The Board noted the reference in the advertisement to the Happy Meal including an interactive CD from a band. The Board considered that the reference to the CD was a small component of the advertisement and complied with the requirements of the QSR Initiative.

Finding that the advertisement met the requirements of the QSR Initiative, the Board dismissed the complaint.