



Case Report

1	Case Number	0226/13
2	Advertiser	McDonald's Aust Ltd
3	Product	Food / Beverages
4	Type of Advertisement / media	TV
5	Date of Determination	10/07/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

Food and Beverage Code 2.1 (a) - Misleading / deceptive

DESCRIPTION OF THE ADVERTISEMENT

The television commercial is for McDonald's Family Chicken Dinner Box. The voiceover reveals that the box includes: "the delicious McChicken, juicy McBites, crispy golden fries, drinks all round and much more". The screen shows a picture of the box, 2 McChicken burgers, 2 chicken & mayo burgers, chicken McBites, 4 fries and 4 drinks.

THE COMPLAINT

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

I believe the advertisement is misleading as it refers to the dinner box including 'much more' when in fact all the components within the box had been identified in the advertisement. In the context of the advertisement, the term 'much more' implies that the box contains other items (eg food) not already mentioned in the ad. However the box does not include other items, and hence I believe this is false and misleading advertising.

THE ADVERTISER'S RESPONSE

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

McDonald's thanks the Advertising Standards Bureau (ASB) for the opportunity to provide a response to complaint number 0226 of 2013 (Complaint).

The television commercial the subject of the complaint (TVC) is for McDonald's Family Chicken Dinner Box which forms part of our value range. The TVC is no longer running. The voiceover reveals that the box includes: "the delicious McChicken, juicy McBites, crispy golden fries, drinks all round and much more". The McDonald's Family Chicken Dinner Box contains:

- 1. Two McChicken Burgers;*
- 2. Two Chicken & Mayo Burgers;*
- 3. Ten pack of Chicken McBites;*
- 4. Four small fries;*
- 5. Two small drinks; and*
- 6. Two medium drinks.*

The voiceover in the TVC does not call out the Chicken & Mayo burgers, refers to the McChicken burger in the singular and otherwise does not identify the quantity of fries and drinks in the box. Accordingly, McDonald's does not believe the advertisement is misleading because on purchasing the Family Chicken Dinner Box, the customer receives more than what is called out in the TVC. In response to the complainant's particular description of the TVC, it is worth noting that the TVC does not call out "chicken burgers" in general but only references the "McChicken". McDonald's McChicken is an individual product name and does not indicate a range of chicken burgers.

McDonald's does not believe it has breached clause 2.1 of the AANA Food and Beverage Code or clause 2 of the AANA Code of Ethics. McDonald's works hard to ensure that none of its communications to consumers, in the form of TVCs or other advertising, are misleading or deceptive.

The Family Chicken Dinner Box contains more than is verbally identified in the TVC and is hence not misleading or deceptive.

Accordingly, we respectfully request that the Complaint be dismissed.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code).

The Board noted the complainant's concerns that the advertisement is misleading in its suggestion that a McDonald's Family Chicken Dinner Box contains 'much more' when it has already identified all the components of the dinner box.

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

The Board noted that the product advertised is food and that therefore the provisions of the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code) apply. In particular the Board considered section 2.1 of the Food Code which provides: 'Advertising or marketing communications for food ...shall be truthful and honest, shall not be or be designed to be misleading or deceptive or otherwise contravene prevailing

community standards, and shall be communicated in a manner appropriate to the level of understanding of the target audience of the Advertising or Marketing Communication with an accurate presentation of all information including any references to nutritional values or health benefits.'

The Board noted the advertisement features a voiceover describing the contents of the new Family Chicken Dinner Box and that we see the products on screen as they are being described. The Board noted the complainant's concern that all the components are mentioned and yet the voiceover goes on to say the box includes "much more" which is misleading.

The Board noted the Advertiser's response that whilst the voiceover does mention "delicious McChicken" and we see a burger on screen, there are actually two different types of McChicken burger in the Dinner Box. The Board noted that at the end of the advertisement we do see a representation of all the components of the Dinner Box and agreed that it is not an unlikely interpretation to expect the Dinner Box to contain more than is shown on screen.

The Board considered however that as the voiceover does not individually identify each and every food item and does not suggest that the visual representation on screen is not complete it is unlikely to be understood by the viewing audience as containing more than there is shown on screen.

Based on the above the Board considered that the advertisement did not breach Section 2.1 of the Food Code.

Finding that the advertisement did not breach the Food Code the Board dismissed the complaint.