



Case Report

1	Case Number	0261/12
2	Advertiser	Yum Restaurants International
3	Product	Food and Beverages - QSR
4	Type of Advertisement / media	TV
5	Date of Determination	11/07/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

Advertising Message QSR - 4.1 - Advertising and Marketing Message

DESCRIPTION OF THE ADVERTISEMENT

The Advertisement depicts a rural Australian setting. A sequence of shots follows with two KFC staff members driving along in a van. The Advertisement cuts to a close up of an Australian farmer on his farm where canola plants are grown. The Advertisement then shows the KFC staff members arriving in the van and greeting the farmer at his homestead on the farm. We then see scenes of a group at an outdoor dining table at the homestead eating pieces of KFC chicken. The Advertisement then shows the van leaving the farm and closes with the voiceover "It's all part of the Goodification" and KFC's "So Good" and "The Goodification" trade marks.

THE COMPLAINT

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

This information is misleading; KFC is not good or healthy and is misleading customers into thinking that KFC is a good food choice.

Health-conscious consumers are being led to believe that choosing KFC is a good choice however a serve of greasy chicken packing 26 grams of fat - almost half the recommended daily intake - is a good choice?

I'd like to see more transparency and honesty from the industry. Don't try and "goodify" products that like it or not are major contributors to our public health burden. Not to mention the message this is sending to younger children.

THE ADVERTISER'S RESPONSE

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

The advertisement to which the complainant refers is KFC's 30 second television commercial promoting KFC's change to using canola oil to cook its products in store (Advertisement). It is targeted at the 18 - 49 age group and finished airing on 29 May 2012.

The complainant has asserted that the information contained in the Advertisement is misleading, as "KFC is not good or healthy and is misleading consumers into thinking that KFC is a good food choice".

The complainant has also asserted that "Health-conscious consumers are being led to believe that choosing KFC is a good choice".

Relevant Codes

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

Section 2 of the Code has been cited as relevant.

Australian Association of National Advertisers Food and Beverages Marketing and Communications Code (the F&B Code)

There is a suggestion that the Advertisement breaches the F&B Code in that it is misleading.

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

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

Has the Code and/or the F&B Code been breached?

KFC considers that the Advertisement is not misleading or deceptive contrary to the Code and the F&B Code. The primary purpose of the Advertisement is to promote KFC's change to using Australian grown canola

oil for cooking its products in store, while still delivering the same taste to consumers. For your information, before May 2012, KFC primarily used imported, sustainably sourced palm oil for cooking its products in store.

The clear focus of the Advertisement is around the sourcing of KFC's new oil from Australian farms. By portraying the Australian farmer on his canola farm, the Advertisement reiterates KFC's investment in the Australian economy and its support of Australian farmers and rural communities.

Contrary to the complainant's view, the Advertisement does not make any health or nutritional claims about KFC products. There is no representation in the Advertisement that KFC products are "good" or "healthy" or that "KFC is a good food choice", as asserted by the complainant. Whilst the

advertisement refers to KFC's switch to canola oil being "good news for customers" that is not a health claim about KFC's products. Similarly, the use of the word "Goodification" on the van and as a trade mark in the advertisement does not imply that KFC's products are healthier. Rather, the word is used in this and other KFC advertisements as part of KFC's general "Goodification" advertising campaign which is intended to be a fun, cheerful, creative expression of the journey which KFC is embarking on to improve all aspects of the KFC brand across consumer and internal touch points (including KFC's change to canola oil).

We trust this addresses the complainant's concerns and illustrates that the Advertisement is not misleading contrary to any of the above-mentioned Codes.

THE DETERMINATION

The Advertising Standards Board ('the Board') considered whether this advertisement breaches the Australian Quick Service Restaurant Industry Initiative for Responsible Advertising and Marketing to Children (the 'QSR Initiative') and the AANA Food and Beverages Advertising and Marketing Communications Code (the 'Food and Beverages Code').

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

The Board noted the complainant's concern that the advertisement is misleading consumers to believe that KFC is a good food choice and sending a poor message to young children.

The Board first considered if the QSR Initiative applied. The Board noted that the QSR Initiative is designed to ensure that only food and beverages that represent healthier choices are promoted directly to children.

The Board noted that the QSR Initiative applies to 'advertising or marketing communications to children' which means 'advertising or marketing communications which, having regard to the theme, visuals and language used, are directed primarily to children and are for food and/or beverage products.'

The Board considered that the themes, visuals and language in the advertisement were designed to convey a message about the use of canola oil. The Board considered that the ad was not directed to children and the provisions of the QSR Initiative do not apply.

The Board then considered the advertisement against the provisions of the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code). 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 considered that the advertisement features images of KFC employees travelling to a rural area where canola plants are grown. The Board noted that the advertisement includes statements about the taste of the product but noted that the advertisement does not make any claims about the nutritional value of the chicken.

The Board noted the advertiser's response that the primary objective of the advertisement is to promote KFC's change to Australian grown canola oil for cooking its products in store.

The Board considered that the advertisement was truthful and honest in its message about changing to Australian grown canola oil and did not contain statements that were misleading or deceptive.

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.