



Case Report

1	Case Number	0322/11
2	Advertiser	Mars Confectionery
3	Product	Food and Beverages
4	Type of Advertisement / media	TV
5	Date of Determination	24/08/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.2 - Violence Other

DESCRIPTION OF THE ADVERTISEMENT

Two M&Ms are held hostage at a servo along with a human employee. The hostage taker tells the police that he may eat one of the hostages, and the M&Ms interpret that as the hostage taker is threatening to eat the human employee.

THE COMPLAINT

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

I had my Saturday night family football viewing interrupted with references to implied violence conjuring horrific images of characters like Hannibal Lecter albeit to advertise chocolate!! There were no graphics but the atmosphere and threats were offensive. At first I thought it was an advertisement for one of the many over the top crime investigation shows that sensationalise horrific crimes. It was a sick attempt at humour which did not make me or my husband laugh but conjured horrific images of horrible crimes that are seemingly becoming more frequent and sensationalised by the media eg: young Jewish boy in New York kidnapped and killed. It seemed to try and normalise and humour the inherent violence that we are bombarded with - real and fiction. I was left trying to explain it to my 7 year old as we were all watching the football as a family. The hostage element is inappropriate and offensive. I would not want my children to see this ad.

THE ADVERTISER'S RESPONSE

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

The advertiser declined to provide a response.

THE DETERMINATION

The Advertising Standards Board (Board) considered whether this advertisement breaches Section 2 of the AANA Advertiser Code of Ethics (the "Code").

The Board noted the complainants' concerns that the advertisement depicts violence and is inappropriate and offensive and is not suitable to be viewed by children. The Board noted the advertiser's inaction by not responding to the complaints.

The Board noted Section 2.2 of the Code which requires that 'advertising or marketing communications not use violence unless it is appropriate in the context of the advertised product or service.'

The Board noted the advertisement features a hostage taker threatening to eat one of the hostages, and that the two M&M characters assume he is referring to eating Gary, the only human hostage.

The Board noted the advertisement had been rated PG by CAD.

The Board noted that whilst hostage situations are of themselves not an issue to laugh at or make fun of, the advertisement is depicting a hostage situation which is clearly unreal in that two of the hostages are cartoon style chocolates. The Board considered that the overall tone of the advertisement was a humorous depiction of an unreal situation.

The Board noted that the hostage taker threatens to eat one of the hostages and considered that most reasonable members of the community would consider this to be a reference to eating an M&M and not to eating a person.

The Board noted that no violence is depicted in the advertisement. The Board considered that the advertisement is unlikely to cause offense amongst most members of the community and that the advertisement is not inappropriate and is not unsuitable to be viewed by children.

The Board determined that the advertisement did not breach Section 2.2 of the Code as it does not depict or condone violence.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.

