



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0351/18
2	Advertiser	Yum Restaurants International
3	Product	Food / Beverages
4	Type of Advertisement / media	Billboard
5	Date of Determination	08/08/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement for KFC features a \$5 bucket of chicken and the text "Cluck yeah!"

THE COMPLAINT

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

I am offended because we know Cluck Yeah is a euphemism for Fuck Yeah. I am offended to see this driving past in my vehicle, particularly when I have 9 and 12 year-olds in the car. It makes me angry and stressed when driving. Our primary school is going to great lengths to reduce the swearing at our small school, especially among the Year 6s. It is not acceptable to use the word Fuck in everyday language. It is not acceptable to use euphemisms for Fuck in advertising.

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 to is a billboard campaign for a \$5 KFC chicken and chips combination offer (Advertisement). The campaign uses the phrase 'Cluck Yeah!' next to a large picture of a KFC Bucket filled with chicken and chips and a can of Pepsi Max. The Advertisement names the relevant nearby KFC restaurant being advertised. The Advertisement is part of a local campaign run by one of our franchisees for a limited period.

The complaint and relevant codes

The Complainant has expressed concern regarding the inappropriate use of language. The following section of the AANA Code of Ethics is cited in the complaint:

- Section 2.5 – Inappropriate language

No breach of the Code of Ethics

We refer to Section 2 of Australian Association of National Advertisers Code of Ethics (Code of Ethics).

KFC considers that the Advertisement does not breach any of the sections in the Code of Ethics.

KFC's marketing strategy

The KFC's brand tone of voice is light-hearted and fun. In keeping with this brand tone of voice, the Advertisement is positioned near to a KFC restaurant that a driver would be approaching, and designed to encapsulate that moment of joy when you find out a KFC is just up the road.

No use of inappropriate language

The Advertisement does not use inappropriate language and complies with section 2.5 of the Code of Ethics.

"Cluck" is the term used for the sound a chicken makes, therefore making "Cluck" synonymous with chicken. Chicken is KFC's core product offering, the use of "cluck" and is therefore intrinsically linked to the brand promise. The Advertisement depicts the chicken menu item on offer and clearly displays KFC's iconic branding and logos, which are well recognised and associated with our famous fried chicken.

The addition of "Yeah" in the Advertisement is consistent with KFC's tone of voice, as it references chicken and the moment of celebration of getting KFC after a long drive into one statement.

With respect to other sections of the Code of Ethics, I note that the Advertisement:

- does not discriminate or vilify any person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, disability, mental illness or



political belief (section 2.1)

- does not employ sexual appeal in a way that is exploitative or degrading of any individual or group of people (section 2.2)

- does not present or portray violence (section 2.3)

- does not depict or treat sex, sexuality and nudity in any way nor without sensitivity to the relevant audience (section 2.4)

- does not depict any material contrary to Prevailing Community Standards on health and safety (section 2.6)

- the Advertisement is clearly distinguishable as an advert and uses KFC branding to that effect (section 2.7)

Therefore, for the reasons outlined above, KFC believes that the Advertisement complies with section 2 of the Code in its entirety. We trust this addresses the Complainant's concerns.

THE DETERMINATION

The Ad Standards Community Panel (the "Panel") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Panel noted the complainant's concern that the advertisement contains inappropriate language.

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

The Panel considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided".

The Panel noted that this billboard advertisement features a \$5 bucket of chicken and the text "Cluck yeah!"

The Panel noted the complainant's concern that the advertisement is a clear euphemism for an obscene term.

The Panel noted the Practice Note for Section 2.5 which states:



“Words and acronyms that play on the ‘f’ word, e.g. WTF and LMFAO, but do not use the actual word are normally considered acceptable if used in a light hearted and humorous way, are in subtitle rather than spoken word and are appropriate to the situation.”

The Panel considered that the work ‘cluck’ is relevant to the product of chicken, and is used in conjunction with imagery of fried chicken. The Panel noted that the phrase is used in a light hearted and humorous way, and that there is no impression of aggression.

The Panel considered that the phrase ‘fuck yeah’ may be implied, however considered that the word ‘fuck’ does not actually appear in the advertisement. The Panel considered that this advertisement is playing on the audience’s knowledge of a common phrase, and considered that the language is implied and not overt.

The Panel considered in the current advertisement that the language alluded to was not used in an aggressive manner and did not contain the word ‘fuck’.

The Panel considered that the advertisement did not use language which was inappropriate in the circumstances and did not contain strong or obscene language. The Panel determined that the advertisement did not breach Section 2.5 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaint.

