



Case Report

1	Case Number	0364/17
2	Advertiser	General Mills Australia Pty Ltd
3	Product	Food and Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	23/08/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Violence

DESCRIPTION OF THE ADVERTISEMENT

This advertisement opens on a man seated at the head of an indoors dining table standing up and ripping the table cloth away whilst saying, "It's time to ditch the dull dinners". The advert then cuts to a different dining table, outdoors, with the same man at the head of the table. The man is holding an Old El Paso Stand and Stuff taco and we see the people at the table start to fill their own taco shells with various fillings then eating them. The final shot shows a box of Stand and Stuff tacos and the tagline, "Make it yours".

THE COMPLAINT

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

This ad shows violence in the home. With children sitting there. This is not a good model for any person. It is not acceptable behaviour in the home.

THE ADVERTISER'S RESPONSE

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

RE: Advertiser response to ASB Case ID: 0364/17

We refer to your letter notifying us of a complaint that has been raised against a television advertisement relating to Old El Paso Stand 'n' Stuff soft taco kits (the Advertisement). A copy of the 30 second version of the Advertisement has been provided with this letter.

Thank you for providing us with an opportunity to respond to this complaint.

DESCRIPTION OF ADVERTISEMENT

The Advertisement depicts a man who is seated in a drab, grey dining room, surrounded by his family who are more interested in their phones than in engaging with each other and their meal. The man declares, 'Amigos, it's time to ditch the dull dinners' and flips the tablecloth. The flipping of the tablecloth leads to a scene transition, where we're taken to a vibrant outdoor dining scene, with happy and excited family members enjoying their meal and each other's company. The man enthusiastically interacts with several family members, and explains to the audience how Old El Paso's Mexican Stand 'n' Stuff tortillas can spark a vibrant, exciting and interactive family dinner. The Advertisement ends with the man and his family in unison encouraging the audience to try our products.

ADVERTISER RESPONSE TO COMPLAINT

You have asked us to address any relevant issues that arise under the AANA Advertiser Code of Ethics (Ethics Code), the AANA Code of Advertising and Marketing Communications to Children (Marketing to Children Code) and the AANA Food and Beverages Marketing and Communications Code (Food and Beverages Code).

4.1 Ethics Code

(a) Violence

The complaint notified to us contends that, 'This ad shows violence in the home.'

General Mills does not agree that the Advertisement depicts, presents or portrays anything of the nature of violence that is inconsistent with the Ethics Code. Rather, the Advertisement subverts common film tropes by briefly creating an expectation of passionate action but unexpectedly fulfils those expectations by portraying a family enjoying a meal in a festive and celebratory environment.

The Advertisement begins with a scene in which the father character announces to the audience and to the family members sitting around a dull grey dining table that it is 'time to ditch the dull dinners' before flipping the table cloth. The framing of the character, muted colour tone and sudden movements, along with the spoken call to action, are intended to evoke scenes in movies where characters decide to 'take a stand' against oppression. However, whereas the usual result of a call to action to 'take a stand' is to engage in acts of defiance, the expectation is immediately subverted when the flipping of the table cloth reveals a transition to a bright, vibrant dining scene where happy and smiling family members are enjoying a meal. As a result, the father character's passionate display is shown to have been channelled into enjoying a meal with his family, and catalyses vibrant interactions between family members around the dinner table. No act of violence (beyond flipping a tablecloth) is

shown or suggested.

The Advertisement is therefore a parody of, and subversion of, common themes in action films, but does not itself portray acts of violence inconsistent with the Ethics Code. The juxtaposition of the serious opening scene with the subsequent scene is intended to create a humorous and light-hearted tone for the Advertisement.

We note that, as stated on the ASB's website, 'advertising which shows actions which are not overly aggressive, are light-hearted, and are not specifically aimed at a person are not usually considered to be violent'. General Mills considers that this advertisement falls squarely within that principle – the tone of the advertisement is light-hearted and the only 'aggression' depicted in the Advertisement is, in context, shown to be a passionate rejection of dull dinners. The act of pulling the tablecloth is not shown to hurt or even alarm the other family members seated around the dining table – their reaction is only shown after the scene transition, where they are enjoying themselves after having been 'liberated'.

Further, the father character's flipping of the tablecloth is clearly an exaggerated reaction to dull dinners and his behaviour is not presented in a way that suggests that the behaviour should be modelled by viewers. It does not portray, suggest, amount to or condone domestic violence or any other sort of violence.

(b) Discrimination

No discrimination issue is raised. General Mills considers that, given the Advertisement is for Mexican food, it is appropriate to portray a Mexican family happily enjoying a meal using the product. We therefore consider that the Advertisement does not portray or depict material in a way which is discriminatory or which vilifies a person or section of the community.

(c) Sexual appeal, sexuality and nudity

The Advertisement does not contain any sexual elements. We consider that the Advertisement complies with the Ethics Code's provisions relating to use of sexuality in advertising.

(d) Language

The Advertisement does not contain any obscene language. We consider that the language used in the Advertisement is appropriate and complies with the Ethics Code.

(e) Prevailing Community Standards

We consider that the Advertisement does not portray any material that is contrary to Prevailing Community Standards.

(f) Clearly distinguishable

The Advertisement is clearly an advertisement and is shown during designated advertising slots on television.

4.2 Marketing to Children Code

The Advertisement is not directed towards children. However, the Advertisement nevertheless complies with each provision of the Marketing to Children Code.

4.3 Food and Beverage Code

The Advertisement complies with each provision of the Food and Beverage Code. Further, the Advertisement promotes the concept of meals as a family occasion, depicts appropriate serving sizes, and the consumption of fresh vegetables during the meal.

Please contact us if you have any further queries with respect to the Advertisement.

THE DETERMINATION

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

The Board noted the complainant’s concerns that the advertisement depicts an act of violence in front of children which is not acceptable or appropriate.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted that there are two versions of this television advertisement, 15 and 30 seconds, both featuring a man at the head of dining table dramatically pulling the table cloth from under the plates.

The Board noted that when the man pulls the tablecloth he announces that it is time to ‘ditch the dull dinners’ and considered that his actions are clearly directed at the dinner they are about to eat rather than towards the family members seated around the table watching him. The Board noted that the scene quickly moves to a different table loaded with Mexican food and considered that the overall impression is of a happy family enjoying a sociable meal together rather than a man behaving in a violent or unacceptable manner.

The Board noted that the action of removing a table cloth from underneath crockery and glasses is a common magic trick and considered that the complainant’s interpretation of this action as being violent is an interpretation unlikely to be shared by the broader community.

The Board considered that the advertisement did not present or portray violence and determined that the advertisement did not breach Section 2.3 of the Code.

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

