



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0385-19
2. Advertiser :	Yum Restaurants International
3. Product :	Food/Bev Venue
4. Type of Advertisement/Media :	Internet - Social - Facebook
5. Date of Determination	27-Nov-2019
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification
AANA Code of Ethics\2.2 Exploitative or Degrading

DESCRIPTION OF ADVERTISEMENT

This Facebook advertisement is a video - The ad opens with an image of the first product, 'Colonel's Dinner' with the product name and price. A red screen then appears with the text "I'D TAP THAT". The screen changes to another image, 'Family Burger Deal' with the product name and price and the red screen appears again. Then the product 'Burger Combo Deluxe' with the product name and price. After this, copy appears reading "AMAZING OFFERS ARE JUST A TAP AWAY". The video then changes back to the red screen with the KFC App logo and the copy 'COLONEL'S OFFERS. ONLY ON THE APP'.

THE COMPLAINT

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

"I'd tap that" is a term used by men to objectify women. It's not acceptable for a global fast food chain to use that in a marketing campaign.

THE ADVERTISER'S RESPONSE



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

I refer to your letter of 12 November 2019 setting out a confidential complaint made in respect of a Facebook advertisement (Complainant). As the Marketing Manager responsible for the relevant advertisement in this instance, I respond to the complaint as follows:

Description of Advertisement

The advertisement to which the Complainant refers to is a social video for the KFC brand and a set of meals available on the KFC App ('Colonel's Dinner', 'Family Burger Deal', and 'Burger Combo Deluxe') (Advertisement).

The ad opens with an image of the first product, 'Colonel's Dinner', over which the product name and price animates in. A red frame then appears, with the copy 'I'D TAP THAT', before animating to the next product, 'Family Burger Deal'. The product name and price animates on the frame, before the red frame repeats with the same copy. The same animation is then repeated for the final product 'Burger Combo Deluxe'. After this, copy appears reading 'AMAZING OFFERS ARE JUST. TAP AWAY' – clearly indicating the tapping action required to open the KFC App on a device. The video then animates into the closing red frame with the KFC App logo and the copy 'COLONEL'S OFFERS. ONLY ON THE APP'.

The complaints and relevant codes

The Complainants have expressed concern that the Advertisement portrays the objectification of women.

The following concerns are cited in the complaints:

AANA Code of Ethics\2.1 Discrimination or Vilification\Gender

AANA Code of Ethics\2.2 Exploitative or Degrading\Degrading – women

No discrimination or vilification of a person based on their gender and/or age

KFC is of the view that the Advertisement does not in any way discriminate or vilify on the basis of gender and complies with section 2.1 of the Code of Ethics.

The term 'I'd tap that' is clearly used in reference to the deliciousness of KFC's fried chicken and tapping the app to place an order. It in no way objectifies or even references gender. The tonality of the Advertisement is cheeky, light-hearted, and humorous, and the visual connection is clearly to food.

Finally, the punchline of the advertising is asking the user to tap to download the app so the original reference is literal in its intention.

No exploitative or degrading of any individual or group of people



As above, KFC is of the view that the Advertisement is not in any way exploitative or degrading of any individual or group of people. The term 'I'd tap that' used is not degrading to any person or group, and is clearly in reference to the action of tapping the app to open on a device and place an order. This is made clear with the additional copy 'Amazing offers are just a tap away' also included within the Advertisement.

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

With respect to section 2 of the Code of Ethics, I note that the Advertisement:

does not present or portray violence in any way (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 use language which is inappropriate in the circumstances (section 2.5);

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

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 2.1 and 2.2 of the Code of Ethics.

We trust this addresses the Complainants' 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 concerns that "I'd tap that" is a phrase used by men to objectify women and is not acceptable.

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

The Panel considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule."



The Panel noted the advertiser's response that the phrase "I'd tap that" is clearly used in reference to the chicken and tapping the app to make an order and does not reference gender.

The Panel considered that no person or section of the community were identified in the advertisement. The Panel considered the phrase was used in the context of ordering food through an app and was not used in a derogatory way towards females.

The Panel considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of gender and determined that the advertisement did not breach Section 2.1 of the Code.

The Panel considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or Marketing Communication shall not employ sexual appeal... in a manner which is exploitative or degrading of any individual or group of people."

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

- Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body parts where this bears no direct relevance to the product or service being advertised.
- Degrading – lowering in character or quality a person or group of people.

The Panel first considered whether the advertisement used sexual appeal.

The Panel noted that it had considered the same phrase in case 0142-18, in which:

"The Panel noted that "I'd tap that" was a colloquial term for indicating a person's interest in sexual relations with another person and that some members of the community may make that connection, but did not accept that it was a widely known term or that that connection would be made by a reasonable member of the community, given the imagery used in the billboard. The Panel considered that there are no images of women in the advertisement, and that the language used is consistent with the imagery in displaying a number of beer taps."

Consistent with the determination in case 0142-19, in the current advertisement the Panel considered that there were no images of, or references to, women in the advertisement and the language was clearly used in the context of tapping an app to order food.

On this basis, the Panel determined that the advertisement did not employ sexual appeal and therefore did not breach Section 2.2 of the Code.



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