



Case Report

1	Case Number	0397/17
2	Advertiser	Candy Crush Saga
3	Product	Toys and Games
4	Type of Advertisement / media	Radio
5	Date of Determination	13/09/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.6 - Health and Safety Unsafe behaviour
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This 15 second radio advertisement features a male voiceover saying, "It's time to get your rush hour sugar rush! Spend that time sitting down with a sweet Candy Crush boost. There's tasty challenges to take on so be divine – c'mon, it's Candy Time! Play Candy Crush Saga now."

THE COMPLAINT

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

The ad makes the claim to sweeten your rush hour (or words to that effect) - it's basically promoting mobile phone use while in control of a vehicle.

THE ADVERTISER'S RESPONSE

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

We thank the Advertising Standards Bureau (ASB) for the opportunity to provide a response to the complaint, complaint reference number 0397/17.

We were surprised to hear that the 15 second radio commercial promoting Candy Crush Saga has been the subject of the complaint concerning the promotion of the use of a mobile phone whilst driving.

King Games (Candy Crush Saga) have identified the time spent commuting - on public transport or whilst otherwise unoccupied - as a moment of downtime during which playing games is both desirable and appropriate.

The script for the advert is as follows: It's time to get your rush hour sugar rush! Spend that time sitting down with a sweet Candy Crush boost. There's tasty challenges to take on so be divine – c'mon, it's Candy Time! Play Candy Crush Saga now.

We do not consider that the advert encourages any unsafe or anti-social behaviour if the ordinary English language meaning of the words used in the advertisement is applied, or that the advert is in breach of the AANA Code of Ethics, specifically section 2.6.

We believe it is clear that this advertisement is specifically targeting people who are on their daily commute and who are not otherwise occupied during that time. The words "spend that time sitting down" are used to target players who will not be doing anything else except sitting. A person driving a car would not think of themselves as just "sitting down" and a common interpretation of the phrase "sitting" would not include being in control of a vehicle.

This ad was cleared by the Australian radio network ARN ahead of being played out.

Notwithstanding this, King Games in no way advocates unsafe driving practices or behaviour. We note that this is the only complaint ARN has received with regard to this Advertisement.

We trust this addresses the Complainant's concerns.

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 promotes the use of a mobile phone while in control of a vehicle.

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

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted that this radio advertisement features a male voiceover promoting the mobile phone game, Candy Crush Saga.

The Board noted the complainant's concern the advertisement promotes mobile phone use

while in control of a vehicle.

The Board noted the actual content of the advertisement is the voiceover says that “it’s time to get your rush hour sugar rush! Spend that time sitting down with a sweet Candy Crush boost...” and considered that whilst the reference to rush hour is suggestive of commuting in the Board’s view the comment regarding spending your time sitting down is targeted at a passenger and not at a driver.

The Board acknowledged that there is a high level of community concern around mobile phone usage whilst driving but considered that in this instance the advertisement does not promote the use of mobile phones whilst in control of a vehicle and in the Board’s view the complainant’s interpretation of the advertisement is unlikely to be shared by the broader community.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards and determined that the advertisement did not breach Section 2.6 of the Code.

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