



CASE REPORT

1. Complaint reference number	127/07
2. Advertiser	McDonald's Australia Ltd (China diggers)
3. Product	Restaurants
4. Type of advertisement	TV
5. Nature of complaint	Advertising to Children Code – Safety – section 2.4 Health and safety – section 2.6 Food and Beverage Code – other
6. Date of determination	Tuesday, 8 May 2007
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This cartoon television advertisement shows two little girls on a beach digging a hole in the sand. As they dig deeper and faster a mound of sand is deposited alongside the hole. The children disappear through the centre of the earth and finally reach China on the other side of the world, where they see Ninja warriors training in a courtyard, and recognise a Chinese McDonald's restaurant. As they enter the restaurant, even though the menus are in Chinese, the children find the surroundings familiar and happily eat their Happy Meals with chopsticks. A male voiceover throughout describes the adventure: "Mo and Jo both loved to dig - the holes they dug were very big. One day a most amazing thing - they dug until they reached Beijing. Through the hole they saw a sign and a familiar place to dine. So hungry did the two girls feel, they dug into their Happy Meal. Strawberry Shortcake's back again, with Ninja Turtles for the men".

THE COMPLAINT

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

I know that young children are impressionable....and I am deeply concerned that a child may try to emulate this deep hole digging in the sand, at the beach....in hopes that they may also end up at McDonalds in China.....with the devastating results of the deep sand hole collapsing on them.....as has happened on many occasions with people digging too deep holes in sand....without being encouraged to do so!!

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The TVC in question is part of an overall 'Happy Times, Happy Meals' campaign, and features an animated world with an animated family & friends enjoying their various perfect days ending with a visit to McDonald's for a meal together. The scenarios take a true 'family/kid' insight and develop it through imagination and animation to show a fun and magical day through the eyes of a child eg. a day building a cubby house with dad followed by a treat for a hard days work at McDonald's afterwards. Parental involvement and supervision is a strong theme.

'Digging' featured two girls playing at the beach in their imaginary world and how kids play on the beach and pretend to dig to the other side of the world. The TVC is deliberately over played and over-dramatised as a non-real situation and features dragons and make-believe characters as they 'imagine' their perfect day ending in the McDonald's restaurant whilst playing on an old fantasy tale of "digging to China".

Given the animated style and the nature of activity, a fun family day at the beach with two adults supervising the children, and the over-exaggeration of the imagination and fantasy, we would contest that the ad is not in breach (of the Code)

THE DETERMINATION

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

The Board considered that the depiction of the children digging a deep hole at the beach to try to dig through to China was a common activity of children at the beach. The Board acknowledged the concern of the complainant but considered that the depiction, particularly considering that the advertisement was animated and a fantasy situation, was not a depiction of material that contravened community standards on health and safety.

The Board also considered whether the advertisement breached the AANA Code of Advertising to Children (the Children's Code). The Board considered that the advertisement did not breach the Children's Code.

The Board also considered whether the advertisement breached the AANA Food and Beverages Marketing Communications Code and determined that the advertisement does not breach this Code.

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