



## **CASE REPORT**

1. Complaint reference number	131/05
2. Advertiser	Kellogg (Aust) Pty Ltd (All Bran)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Language – use of language – section 2.5
6. Date of determination	Tuesday, 14 June 2005
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement depicts Derryn Hinch approaching a couple in a furniture store. Derryn Hinch introduces the couple as Dennis and Kate Davis. He invites them to take a seat on the sofa in the furniture store and begins to interview them about their use of Kellogg's All Bran. He asked if they have become "regular" users. They reply in the affirmative. At the end of the advertisement Derryn looks over his shoulder to his right at a set of bar stools. He looks back to the camera and says "nice stools".

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*"I find this sort of vulgarity offensive and in extremely bad taste. I'm no prude, but neither do I condone such insensitive comments about natural bodily functions. This ad encourages the immature to follow its bad example in discussing this subject in an offensive manner."*

## **THE ADVERTISER'S RESPONSE**

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

*"Kellogg considers that the commercial is in keeping with prevailing community standards or that it does not breach 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 the use of both puns as acceptable given the relevance to the product being advertised. The Board was of the opinion that in the context of prevailing community standards, most people would find the advertisement humorous rather than offensive. The Board noted that the advertisement did not employ any vulgar or obscene language.

The Board found that the depiction did not contravene the provisions of the Code relating to language.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.