



CASE REPORT

1. Complaint reference number	151/02
2. Advertiser	Nestle Australia Ltd (Chocoholic)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Other - Miscellaneous
6. Date of determination	Tuesday, 9 July 2002
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement viewed by the Board opens on a woman addressing a group seated in a circle within a typical community hall. She says: "My name is Jane and I'm a chocoholic." As she continues, saying "frankly I blame this," she holds up a bar of Nestle Smooth'n' Creamy chocolate. She eats a piece, to the apparent envy of the group and the consternation of the group leader, and is shown enjoying it before producing more bars from her handbag saying: "But the worst thing about Nestle Smooth'n' Creamy chocolate is that it's now in all your favourites too." As the group closes in around her, the group leader says: "Thanks for sharing that with us Jane." The television commercial ends with a voice-over supported graphic comprising a Nestle Smooth'n' Creamy chocolate bar alongside text reading: 'It's a chocoholic's NIGHTMARE!'

THE COMPLAINT

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

"This is an obvious copy of what happens in an Alcoholics Anonymous meeting...I know that people have tainted the word 'alcoholic' by making up words such as 'workaholic,' but at least they have not set up a travesty of an A.A. meeting in order to sell their wares. The commercial is sick. Shame on Nestle and its agency."

THE DETERMINATION

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

The Board accepted the advertiser's view that "We live in a community in which a light hearted somewhat ironic and self deprecating sense of humour is part of the ethos, and that many people might lightheartedly describe their liking for chocolate as an addiction".

On this basis, it considered that most people would see humour in the advertisement and determined that it did not contravene the Code on any grounds.

Accordingly, the complaint was dismissed.