



CASE REPORT

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| 1. Complaint reference number | 157/99 |
| 2. Advertiser | Nestle Confectionery (Kit Kat) |
| 3. Product | Food |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Other – section 2.1 |
| 6. Date of determination | Tuesday, 8 June 1999 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement is set in an apparent elevator foyer with two sets of doors. The first door opens and an ‘angel’ figure walks out accompanied by white doves and lambs. The second door opens revealing flames and screams as a ‘devil’ figure walks out. They both sit down on a bench and say ‘Morning’ to each other. The ‘angel’ pours a cup of tea, while the ‘devil’ opens an ice box, removes a Kit Kat and slits the packet with a talon like fingernail. They each eat a bar of the Kit Kat.

A chime is heard and both elevator doors re-open. The ‘angel’ says ‘Well, no rest for the wicked’ as they move towards their respective doors. A voiceover says ‘Have a break - Have a Kit Kat’.

THE COMPLAINT

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

“As a Christian and a follower of the Lord Jesus Christ, I find this advertisement blasphemous and an affront to the living and true God of the Christians.”

“Saying good sits down with evil is wrong.”

“An angel does not take a break, Satan does not take a break.”

THE DETERMINATION

The Advertising Standards Board (‘the Board’) considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board determined that the portrayal of the characters within the advertisement did not constitute discrimination or vilification and would not offend prevailing community views and standards, particularly given its humorous and clearly fictitious context. The Board determined that the advertisement did not breach the Code on this or any other ground and, accordingly, dismissed the complaint.