



## **CASE REPORT**

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| 1. Complaint reference number | 173/07   |
| 2. Advertiser                 | Yum Restaurants International (KFC - Hot & Spicy Fillets - basketball) |
| 3. Product                    | Restaurants  |
| 4. Type of advertisement      | TV   |
| 5. Nature of complaint        | Violence Other – section 2.2   |
| 6. Date of determination      | Tuesday, 12 June 2007  |
| 7. DETERMINATION              | Dismissed  |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement is set in an urban basketball court where two young men are sitting on the bench watching the game. One man is eating KFC's new Boneless Hot & Spicy while the other watches him eat. The latter, seeing his friend's shocked reaction to the taste, asks "What's it like?" The man with the chicken thinks for a few seconds...then rubs his friend's cheeks, looks at his watch then takes both hands and slaps him on either side of the face. The man's cheeks go completely red from the impact, and in a daze, stares at camera and gives the exact same look his friend had given in reaction to eating the Boneless Hot & Spicy. His eyes light up as his head jolts back. He smiles, now being able to imagine the taste. A third mate is then seen sitting beside them as they both eat the KFC, and asks "So, what's it like?". The two men with the KFC smile knowingly at each other.

## **THE COMPLAINT**

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

*Children will mimick (sic) what they see. I said the key words 'so how was it it?' and she smacked me in the face. This behaviour is unacceptable. Seeing this kind of behaviour is unacceptable. we dont smack in our family and I had to only ask once and she did exactly what she saw. Its (sic) inappropriate given the problems Australian society has with domestic violence and bullying. Having to explain to child you dont smack people in the face and then having the child see people do it on tv during prime time undermines good parenting.*

*I find this offensive as it could easily incite children to violence by copying the behaviour seen on television and prompting them to slap or hit people on the face, to which they may feel this is amusing as it appears to be acceptable on television.*

*A similar advertisement in the UK for tango soft drink was banned as children copied the slapping technique portrayed in the advert.*

*Unnecessary violence. Since this is not a category in the Standards I'll have to say "Health and Safety". As a teacher I find bullying and violence unacceptable. It is a worry that advertisers do not find it unacceptable. This ad is not funny or clever.*

## **THE ADVERTISER'S RESPONSE**

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

*In reference to the submitted complaints we would like to firstly respond by saying that it certainly was not our intention to offend nor do we believe we are encouraging unnecessary violence or inciting violence in children. We are simply using the device to communicate the flavour hit of our Hot & Spicy Boneless product. Furthermore, it is important to note that our intention of this*

*scenario is to simply portray the banter that often occurs between mates and if you watch the commercial closely you will see that he doesn't actually slap the guy.*

*It is also worth noting, that this particular execution will not be airing again after 27th of June 2007.*

## **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 advertisement's depiction of one man slapping another's face and considered whether the advertisement breached clause 2.2 of the Code which provides that advertisements shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

The Board noted the advertiser's response that the man does not actually slap the other man. The Board considered that the depiction in the advertisement, when viewed on the first occasion as a viewer would, does appear to depict actual slapping and that is certainly the intention of the advertisement. The Board noted that the man who is slapped, although surprised, does not appear in any pain from the slap - indeed he is seen to happily understand the taste of the product.

The Board noted that the advertisement was a lighthearted and humorous attempt to describe to a friend the taste of the product. The Board considered that the advertisement depicted two men, obviously friends, engaging in 'laddish' behaviour that was good natured and of no harm to each other nor to anyone else.

The Board considered that the advertisement would be unlikely to incite children or other adults to engage in violent behaviour and determined that the advertisement did not breach clause 2.2 of the Code.

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