



CASE REPORT

1. Complaint reference number	261/04
2. Advertiser	McDonalds Aust Ltd (Chilli Quarter Pounder)
3. Product	Restaurants
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 12 October 2004
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement depicts a group of male and female friends eating at a McDonald's restaurant. Some of them are eating the new Chilli Quarter Pounder and their eyes start to water from the chilli. One of the females says to the males who are struggling with the chilli "You guys are such girls."

THE COMPLAINT

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

"I find this extremely offensive in that if someone is a bit reluctant to try something new and potentially unpleasant they are called a "Girl"."

"This is reinforcing gender stereotypes that it is ok for young women to cry, but "wrong" for young men to do so."

"This commercial reflects a gender stereotype: that women are inferior to men because they lack strength, both physical and emotional resilience. It discriminates against women by claiming a distinction on the basis of sex that impairs equality between men and women."

THE ADVERTISER'S RESPONSE

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

"It is important to note that the general tone of the ad is light-hearted and good humoured and clearly does not either discriminate against or vilify the participants in the ad nor the sections of the community they represent."

"Whilst the person who has made the complaint implies ridicule and weakness and reinforcement of stereotypes being displayed we submit that the opposite is actually the case and that the humour and friendship being displayed is the prominent factor in the advertisement."

THE DETERMINATION

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

The Board found that the depiction did not contravene the provisions of the Code relating to discrimination (sex)/vilification.

The Board were of the view that the advertiser had made appropriate use of humour and irony and that in the context of prevailing community standards the majority of people would not find this advertisement offensive.

The Board noted the overall impression of the advertisement was one of comradery and friendly banter and the comment was not intended to be taken seriously or literally.

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