



CASE REPORT

1. Complaint reference number	277/06
2. Advertiser	Kellogg Aust Pty Ltd (Crunchy Nut - birthday girl)
3. Product	Food & beverages
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 8 August 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a room full of happy party guests singing Happy Birthday as a huge cake with 30 candles is placed on the table. The birthday girl blows out the candles and makes a wish. Immediately the cake is transformed into a bowl of Crunchy Nut corn flakes at which she squeals in delight and starts to eat. Her guests look on stunned and seem disappointed that the cake has disappeared. A male voiceover explains “Obviously another Kellogg’s Crunchy Nut. Well, they are irresistibly tasty.”

THE COMPLAINT

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

It would be a fine ad yet her breasts are hanging out of her top the entire time. This is ridiculous. Don’t marketers have enough creativity to attract our attention unless a woman’s breasts are shown?

THE ADVERTISER’S RESPONSE

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

Kellogg does not consider the television commercial contrary to the prevailing community standards and notes that:

- Its tone is light hearted*
- It doesn’t depict nudity*
- It is not sexually suggestive; and*
- It is rated G*

Furthermore, the advertisement is directed to a target audience of 18 to 25 year olds and has been playing in time slots that are directed to that age group.

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 that the advertisement is for cereal and that it depicts a woman in a low cut top making a birthday wish and having her cake turn into a bowl of cereal. The Board noted that the advertiser has the right, subject to the Code, to use whatever images it chooses in advertising its

products and made no comment on the complainant's concern that there was no need for the woman's cleavage to be part of the advertisement.

The Board noted that the woman's cleavage was apparent during the advertisement but that the cleavage images were not inappropriate or sexual in nature.

The Board considered that the depictions in the advertisement did not breach section 2.3 of the Code as they were treated with sensitivity to the relevant audience.

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