



## **CASE REPORT**

1. Complaint reference number	281/05
2. Advertiser	Tricon Restaurants International (KFC - Wicked Burger)
3. Product	Restaurants
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 11 October 2005
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The scenes in this advertisement depict a KIA Rio driving in different settings. The first depicts the KIA Rio driving along a beach, the second shows the car driving along a city street and, finally, on a highway. A voiceover that imitates the voice of John Cleese says the following words: “... *with more leg room... improved styling... increased horsepower... at just \$15,990 drive away, it’s less than \$16,000. The new 1.6 litre KIA Rio . The obvious choice has never been more bloody obvious*”.

## **THE COMPLAINT**

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

*“Please inform advertisers that swearing in ads is unacceptable in children’s viewing times.”*

## **THE ADVERTISER’S RESPONSE**

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

*“This current advertisement is also very tongue-in-cheek and uses a John Cleese/Basil Faulty character voiceover to add humour to the script. The use of the word ‘bloody’ in this commercial was selected because it is part of the Basil Faulty vocabulary and a key part to his dry humour...”*

*“We feel that ‘bloody’ has become more of a slang word in the Australian vocabulary and is not perceived by many as a swear word...”*

*“... FACTS advised that it would receive a ‘W’ rating, meaning ‘general release, with care’ which means it should not be placed in children’s programming, which it is not.”*

*“We... believe that the advertisement is humorous and totally inoffensive.”*

## **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 complainant took particular exception to the use of the word “*bloody*” in the advertisement. The Board was of the opinion that the word “*bloody*” was a colloquial term and that the majority of people would not be offended by the use of such language in this advertisement.

The Board found that the advertisement did not breach the provisions of the Code relating to the use of language.

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

dismissed the complaint.