



## **CASE REPORT**

- |                               |                              |
|-------------------------------|------------------------------|
| 1. Complaint reference number | 293/07                       |
| 2. Advertiser                 | Hungry Jacks (Simpsons)      |
| 3. Product                    | Restaurants                  |
| 4. Type of advertisement      | TV                           |
| 5. Nature of complaint        | Violence Other – section 2.2 |
| 6. Date of determination      | Tuesday, 11 September 2007   |
| 7. DETERMINATION              | Dismissed                    |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement features cartoon character Homer Simpson being filmed for a Hungry Jacks "Homer Eats Whopper" commercial. The crew is up to the 75th "take" due to Homer's incompetency in getting it right, as in colliding with the microphone and getting it stuck in his eye, his talking with his mouth full and his lines being inaudible, accidentally knocking the hamburger off the plate then eating the patty he picked up off the floor, his drooling saliva all over the product, and his appearing in nothing but his underpants.

## **THE COMPLAINT**

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

*I really object to this particular ad as I feel it is not necessary for someone to impale their eye to sell a burger.*

*I've never seen such a violent ad. There's no warning when it comes on so I just keep seeing the same mindless violence as the character screams in pain and his eye is poked out. It makes me feel sick every time.*

## **THE ADVERTISER'S RESPONSE**

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

*In our opinion the content of these spots is indicative of the character within them, that is, Homer Simpson. In fact the spots were written and produced by the creator of the Simpsons programme itself and one must therefore assume they have placed the character in situations that would be consistent with his actions. While I accept that children may be exposed to this commercial the target audience of both the character and the product being advertised is in fact not children but the large number of adults that are regular Simpsons viewers.*

*In addition 'violence' of this type is quite a common feature of animated entertainment materials and can be found in many 'cartoon' programmes ( Road Runner, Tom & Jerry, Elma Fudd, Teenage Mutant Ninja Turtles, to name but a few) that are in fact aimed at children.*

*We do not believe this spot contravenes prevailing community standards.*

## **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 complainants concern that the images in the advertisement are too violent.

The Board noted that in the advertisement Homer Simpson is poked in the eye by the microphone and appears to be in pain. The Board noted that following this scene there are a number of other scenes that shown Homer suffering no lasting effect from the microphone incident. The Board noted that the cartoon character is a well known character who is often injured through his own clumsiness but suffers no lasting damage. The Board considered that the use of the Homer Simpson cartoon character in this advertisement provided a humorous context to the advertisement and was unlikely to be seen as overtly or inappropriately violent. The Board determined that the advertisement did not breach Section 2.2 of the Code.

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