



CASE REPORT

1. Complaint reference number	378/09
2. Advertiser	Yum Restaurant (KFC)
3. Product	Food & Beverages
4. Type of advertisement	TV
5. Nature of complaint	Other - Social values
6. Date of determination	Wednesday, 26 August 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television commercial depicts a family have a picnic and an elderly couple who are from overseas ask the father if he would mind taking a photo of them. The man says that he does not speak English (clearly indicating that he does speak English) and pretends to not understand them.

THE COMPLAINT

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

It sets a horrible selfish greedy example to young people.

It's lowering of community standards...a poor reflection on society where people lie and are not willing to help others including tourists. This add will influence the younger generation and others representing the opinion that's its ok to be selfish, lie and not think of others. That's not our culture!

I strongly object to this advertisement on the grounds that it portrays parents (in particular, the father of a family) telling blatant lies to people who have approached him for assistance i.e. "Could you please move your car?" "Please would you take a photo for us?" "Please would you help me find my lost dog?" The father figure is eating K.F.C. and tells lies to avoid interrupting his food. I find this ad offensive as it is sending a message to children that it is more important to eat a take-away meal than to help someone in need, even to the point of telling lies. I am the grandparent of a child with Asperger's syndrome, and people like my grandson and his family certainly don't need any unnecessary examples of this type of behaviour on television at this hour of the day. It's bad enough to give unchallenged children a bad example, but Heaven help those poor children and their parents and siblings who already have huge social issues.

My objection to the ads is because in each case the man is lying, and it's obvious he's lying. He doesn't want to help people and so lies to get out of it. What is being communicated is that it's okay to tell lies, it's okay to be unhelpful to people who ask for help, it's okay to do all this in front of his children and thus teach them it's okay to lie.

If it's supposed to be funny, it isn't. I personally find it offensive. It has completely turned me off buying anything at KFC.

I object to this as I think that outright lying is not a good example to give to people, however lighthearted.

Who is educating our children? Our advertisers need to lift their game and not so often go to the lowest standard. Men are constantly denigrated, cheating and lying are almost the norm, and this set of advertisements are just poor.

The advertisement does not do justice to KFC.

THE ADVERTISER'S RESPONSE

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

There are three different versions of this advertisement (collectively the Advertisements). They each involve a family having a picnic in a park, eating a KFC Classic Dinner meal. In each case the family is interrupted by a person requesting some form of assistance (taking a photo, looking for a dog and moving a car) and the adult male (father) in the family makes an excuse which is blatantly false and intended to be amusing to the audience. The voiceover states that "Nothing gets in the way of a KFC Classic Dinner".

THE COMPLAINTS

In summary, the complaints are that the Advertisements lower community standards, encourage selfishness and lying and depict Australians as ignorant towards tourists and foreigners (the Complaints).

THE RELEVANT CODES

Australian Association of National Advertisers Code of Ethics (the Code) Section 2 of the Code has been cited as relevant. It is unclear to us which, if any, of the subsections in Section 2 of the Code are applicable to the Advertisements. Sub-sections 2.1, 2.2, 2.3, 2.5, 2.6 and 2.7 of the Code do not relate to the issues raised in the Complaints and therefore the complaint falls outside the scope of the Code. Australian Association of National Advertisers Code of Advertising & Marketing to Children

(the Children's Code) The Children's Code applies to communications which are directed primarily to children 14 years or younger and are for goods which are targeted toward and have principal appeal to children. The Advertisements in question do not fall within this category and as such, the Children's Code is not relevant.

HAVE THE CODES BEEN BREACHED?

As stated above, we do not believe the Advertisements breach any sections of the Codes. However, in response to the Complaints that the Advertisements lower community standards we point out that the Advertisements are clearly in jest and meant to be humorous and light hearted. The fact that the father's excuse in each case is so obvious false, and that he is clearly caught out on each occasion, shows that the Advertisements are essentially parodies for the purpose of emphasising the great taste of the Product. The behaviour in the Advertisements is not malicious, but rather is cheeky and the father himself comes off as looking silly. The Advertisements are not an encouragement of dishonest behaviour.

For the reasons outlined in this response, we do not believe that the Advertisement breaches Section 2 of the Code. Yum! Restaurants International is committed to complying with all codes and applicable laws related to advertising. Yum! will continue to ensure that its advertisements do not offend 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 complainant's concerns, that the advertisement was insinuating that lying to people was acceptable and considered whether the advertisement was in breach of the Code.

The Board agreed that the advertisement was intended to portray in a comical and humorous manner, an unlikeable figure, whose behaviour was not tolerated by the other members of his family. The Board considered that the advertisement was not promoting lying as the father was clearly caught out and this was seen as undesirable in the advertisement.

The Board also considered that the depiction of the father lying about speaking English was not a depiction that was discriminatory or vilifying of people who do not speak English as it is clearly the father who is depicted as the person behaving inappropriately.

The Board considered that the depiction of the father behaving inappropriately was not a suggestion that all men tell lies and that the advertisement did not discriminate against or vilify men.

The Board determined the advertisement was not in breach of the Code as most members of the

community would be able to discern that the advertisement was a light hearted attempt at depicting that nothing gets in the way of a KFC Classic Dinner.

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