



CASE REPORT

1. Complaint reference number	454/06
2. Advertiser	McDonald's Australia Ltd (\$5 Feed)
3. Product	Restaurants
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Religion – section 2.1
6. Date of determination	Tuesday, 14 November 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement shows a young man eating a \$5 meal from McDonald's, with an enthusiastic amateur choir singing in the background "John bought a cheeseburger, medium coke, medium fries. Then he chose a strawberry Sunday over the hot apple pie. Normally it's over six dollars but it only cost him five. Not since he dumped his cheating girlfriend has John been so satisfied". A male voiceover concludes with "The new \$5 feed. It's going for a song at McDonald's."

THE COMPLAINT

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

*I dont want to be told that McDonalds is better than sex... or that John ny (or whatever his name is) had a girlfirend (sic) who cheated on him - a tart, for want of a better. Also the fact that they have a choir singing that sex with an *expienced (sic) woman* isn't as good as their burgers is disturbing. Surely I'm not the only one who feels this way? I'm not the most religous (sic) person but the choir part offends me.*

THE ADVERTISER'S RESPONSE

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

*The advertisement is a light-hearted and humorous mix of the unexpected. We have a choir standing behind a consumer eating his meal, singing very formally about his \$5 meal. To highlight how happy John is about this great deal, the choir unexpectedly sings "Not since **he dumped** his cheating girlfriend has John been so satisfied".*

The complainant has missed the reference to "dumping" the girlfriend, and as a result, is mistaken in his belief that there is a claim or implication that McDonald's is better than sex.

THE DETERMINATION

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

The Board viewed the advertisement and considered the complainant's comments that the advertisement was offensive.

It was clear to the Board that the complainant had missed the reference to subject's 'dumping' of his cheating girlfriend and that the advertisement in fact had very little to do with sex, as suggested by the complainant.

The Board then considered whether the use of the choir in the advertisement vilified or discriminated against religious groups (section 2.1 of the Code).

The Board rejected the idea that that use of a Christian-style choir in the context of this advertisement vilified or discriminated against Christians, or even that Christians would find the concept offensive. Hence the Board agreed that the advertisement did not breach section 2.1 of the Code.

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