



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 58/99   |
| 2. Advertiser                 | The Smith's Snackfood Co Ltd (Lay's potato chips)                           |
| 3. Product                    | Food  |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Discrimination or vilification Other – section 2.1<br>Other - Miscellaneous |
| 6. Date of determination      | Tuesday, 9 March 1999   |
| 7. DETERMINATION              | Dismissed   |

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement comprises vignettes of people speaking incoherently. The final sequence depicts young choristers singing Beethoven's 'Song of Joy' coherently until each produces a bag of Lay's potato Crisps eats them and re-commences singing this time incoherently. A voiceover comments, 'There's never been a chip as irresistibly light and crispy as new Lay's. That's why you can't help yourself.'

## **THE COMPLAINT**

Comments the complainants made regarding this advertisement included

the following:

*'The ad shows several groups of people in different situations talking in a manner which I feel belittles people unfortunate enough to have a speech difficulty, in particular, people with cerebral palsy. Having had much contact with people at the Spastic Centre of NSW, I know that one of them would be speaking that way if they could help it.'*

*'I think it is disgusting the way the people are talking with their mouths full...Parents spend plenty of money getting their children to speak properly and this advert is saying it is OK to speak with their mouths full, and to spit out what they are trying to eat.'*

## **THE DETERMINATION**

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

The Board, while appreciating the complainant's personal point of view, determined that the advertisement's portrayal of the people concerned did not constitute discrimination or vilification and did not breach the Code on this ground. With regard to other matters raised, the Board determined that the advertisement would not offend prevailing community standards and views and did not breach the Code. The Board dismissed the complaint.