



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 86/02   |
| 2. Advertiser                 | The Smith's Snackfood Co Ltd (Smith's Crisps) |
| 3. Product                    | Food  |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Other - Miscellaneous                         |
| 6. Date of determination      | Tuesday, 9 April 2002                         |
| 7. DETERMINATION              | Dismissed                                     |

## **DESCRIPTION OF THE ADVERTISEMENT**

Two television advertisements reviewed by the Board feature tennis player Patrick Rafter. In one advertisement, he is offered a chip by a young girl at a funfair and subsequently takes the whole bag from her, replacing them with a bunch of balloons. As the young girl is seen being lifted into the air by the balloons, a male announcer says: "Lay's flavours are so irresistible there's no more Mr Nice Guy." Noticing the young girl still being lifted higher in the air, the tennis star is shown shrugging his shoulders as a caption is superimposed reading: 'No More Mr Nice Guy.' In the other advertisement, Patrick Rafter takes the bag of crisps from a boy in a park and then throws a ball for a dog the boy has on a lead, so that the boy is tugged out of sight. The boy is subsequently shown being dragged across the park by the dog. The voice-over and captioning are identical to the first advertisement.

## **THE COMPLAINT**

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

*"Theft, taking without consent, is not lawful and should no be being advocated by the Australian of the Year, Patrick Rafter...The American example of children who have been savagely assaulted to take name brand (e.g. Nike) shoes or clothes from them should not be inculcated through advertising here."*

## **THE DETERMINATION**

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

Noting the obviously intended humour of the two advertisements, the Board determined that their content did not contravene the Code in relation to the portrayal of people.

The Board further determined that the advertisements did not breach the Code on any grounds and dismissed the complaint accordingly.