



## CASE REPORT

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|-------------------------------|---|
| 1. Complaint reference number | 88/07   |
| 2. Advertiser                 | Tricon Restaurants International (Pizza Hut)  |
| 3. Product                    | Restaurants   |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3<br>Discrimination or vilification Age - Section 2.1 |
| 6. Date of determination      | Tuesday, 10 April 2007  |
| 7. DETERMINATION              | Dismissed   |

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a family dining at Pizza Hut where a young teenage boy tells the waiter he would like the New Cheesy Bites Pizza. As the lights go down, singer Jessica Simpson appears with the pizza in hand and background music of her song "These Boots Are Made For Walking" plays and she sings alternate lyrics "Are you ready Bites? Start popping." As she approaches the boy she sings "These Bites were made for popping, and that's just what they'll do..." (and throws a "Bite" into the boy's mouth)...One of these days these Bites are gonna pop right into you". When she reaches the boy she slowly places another 'Bite' into his mouth as he eats it and faints. A female voiceover describes the Cheesy Bites Pizza as "A pizza with 16 poppable bites, packed with melted bega cheese. Who says pizzas are all the same?" We then see Jessica offering another 'Bite' asking "Want another Bite?" as we hear a groan from the boy.

## THE COMPLAINT

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

*I find it deeply offensive as the waitress is inappropriately dressed and making suggestive and erotic moves towards a teenage boy. I find it double standard too as if the sexes were reversed there would be an outcry about "that ad with the dirty old man". There has been a rise in publicity about women being charged for committing sex offenses involving teenaged boys however ads like this make it seem like it's acceptable behaviour. Using sex to promote food to teenagers to me is just plain sick and morally wrong.*

*pROMOTES SEXUALITY TO YOUNG MALES INA WAY THAT GETS A RESPONSE THTA TCOUDL BE SEEN BY YOUNG PEOPLE AS ACCEPTABLE (COOL) IN EVERYDAY LIFE BUT IN REALITY is not. It associates food with a temptation that gets a reaction from the young male boy to an adult sexually aware female.I think thsi is not a healthy attitude to promote. (sic)*

*Using sex to sell food products to minors.*

*It shows a very suggestive and entirely inappropriate image of a grown woman "seducing" an under-age boy, in real life entirely illegal behaviour.*

*Imagine the gender roles reversed? If Justin Timberlake sauntered up to a 14 year-old girl before popping something into her mouth, singing, "One of these days these bites are gonna pop right into you". This is a typical example of the sexualisation of young men and I find it offensive because advertisers should not be promoting paedophilic tendencies, even as a joke. And the fact that it is a boy shouldn't make it any less offensive.*

## THE ADVERTISER'S RESPONSE

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

*The advertisement was designed to appeal to Pizza Hut customers by attaching to Jessica Simpson's "star" identity. It was not designed or intended to have any sexual connotation. The advertisement depicts Jessica Simpson working as a Pizza Hut waitress singing a customised song to the tune she recorded for the Dukes of Hazzard movie. It is intended to depict a light-hearted moment shared by a family in a Pizza Hut restaurant when they are stunned by the "star power" of Jessica Simpson who serves them their pizza.*

*The research undertaken included both qualitative and quantitative research. No issues or concerns such as those raised in the complaints were aired.*

## **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 whether the advertisement contravened section 2.3 of the Code dealing with sensitive use of sex, sexuality and nudity.

The Board noted the complainant's comments that the advertisement was deeply offensive.

The Board viewed the image of Jessica Simpson and concluded that her movements were suggestive but not particularly sexual and that at least some of the young boy's surprise could be attributed to the fact that Jessica Simpson was a celebrity. The Board agreed that the advertisement did not breach section 2.3 of the Code.

The Board also considered whether the advertisement breached the AANA Food and Beverages Advertising and Marketing Communications Code ("F & B Code"). In the absence of presented evidence to the contrary, the Board found that the advertisement did not breach the F & B Code.

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