

<b>COMPLAINT NUMBER</b>	19/009
<b>COMPLAINANT</b>	A Robertson & J Donaldson
<b>ADVERTISER</b>	McDonalds Restaurants (NZ) Ltd
<b>ADVERTISEMENT</b>	McDonalds Restaurants (NZ) Ltd, Television
<b>DATE OF MEETING</b>	14 January 2019
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The McDonalds television advertisement shows different people waking up or coming home following a big night out on New Year’s Eve in various states of disarray. One man answers the door with party debris behind him and receives a food delivery from McDonalds and Uber Eats. The advertisement ends with the text “It’s going to be a good year” and both company logos.

**The Chair ruled there were no grounds for the complaints to proceed.**

**Complainant, A Robertson, said:** I wish to complain about the latest Macdonalds advert. It portrays people suffering from over indulging in alcohol which is fixed by a delivery of Macdonalds bag by Uber. This is not an impression and image that should be displayed as appropriate and acceptable given the alcohol misuse in New Zealand, This normalising alcohol abuse.

**Complainant, J Donaldson, said:** Not a very good ad showing hung over people having McDonalds delivered. Do we really want to encourage over drinking and promoting alcohol in a non alcoholic ad. As McDonalds appeals to younger people this is a very bad message.

**The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);**

**The Chair** noted the Complainants’ concerns the advertisement shows hung-over people, having McDonald’s delivered, which could encourage the misuse of alcohol.

In considering whether the advertisement encouraged the misuse of alcohol, the Chair referred to a precedent decision, Decision 09/482 about similar issues that was Not Upheld by the Complaints Board. That decision said in part:

“In the majority view, the advertisement offered a food option for people who had already had a “big night out” and the majority did not consider it was promoting or encouraging people to go out drinking.”

The Chair confirmed this Decision applied to the complaints before her. She noted that the advertisement before her did not show people drinking alcohol and did not glamorise drinking to excess. On the contrary, the people in the advertisement appeared to be suffering and looked the worse for wear. The likely consumer takeout of the advertisement was likely to be that a home delivery option for McDonalds was now available through Uber Eats.

While the Chair noted the Complainants' genuine concerns about alcohol abuse, she was of the view the advertisement was unlikely to cause serious or widespread offence, in light of generally prevailing community standards.

The Chair said the advertisement had been prepared with a due sense of responsibility and there was no apparent breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

Therefore, the Chair ruled there were no grounds for the complaint to proceed.

**Chair's Ruling:** Complaints **No Grounds to Proceed**

#### **APPEAL INFORMATION**

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website [www.asa.co.nz](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 days of receipt of this decision.