

COMPLAINT NUMBER	19/150
COMPLAINANT	T Tylee
ADVERTISER	Restaurant Brands NZ Ltd
ADVERTISEMENT	KFC, Television
DATE OF MEETING	8 April 2019
OUTCOME	No Grounds to Proceed

Advertisement: The KFC television advertisement shows five players from New Zealand Super Rugby teams setting up a game of table rugby against the clock. They push out a mini bucket with the KFC red and white stripes. The advertisement then shows a giant KFC bucket with a panel cut out and the text “Something big is coming.”

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

Complainant, T Tylee, said: I find it unbelievable given the obesity problem in NZ that KFC use Super Rugby players (none of whom would actually eat KFC as part of their training and nutritional plan) during Prime Time television.

Please investigate this matter, As a New Zealander working in healthcare this is totally irresponsible and misrepresents sports people and influences young people and families who do not have the time or money to prepare a simple healthy meal. c aimed at children and families who need a "quick fix" dinner.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(h) Principle 2, Rule 2(g); Children and Young People Advertising Code - Principle 1, Rule 1(h), Rule 1(i), Rule 1(j);

The Chair noted the Complainant’s concern the advertisement shows Super Rugby players promoting a fast food product during primetime television, which is irresponsible.

The Chair confirmed the ASA does not have jurisdiction over the commercial sponsorship agreements between advertisers and other parties, including sports teams.

The Chair considered the content and placement of the advertisement which promoted KFC and an association with the Super Rugby competition. The Chair said the advertisement did not show food or food consumption.

The Chair said in considering the advertisement under the Children and Young People’s Code, the product, placement and audience of the advertisement are reviewed to ascertain whether it was targeted at children and / or young people.

In terms of placement and audience, the Chair said the advertisement had been given a rating of GXC (General Except Children) by the Commercial Approvals Bureau and played during *Seven Sharp*, an unclassified current affairs programme.

The Chair noted the Children and Young People’s Code states that in order for an advertisement to target children and / or young people, the product and presentation needs

to appeal and children and / or young people need to make up 25% or more of the expected audience. The Chair noted that viewing figures obtained from TVNZ shows that viewers under 18 made up 2% of the total *Seven Sharp* audience on that day.

The Chair confirmed the advertisement had not reached the threshold to target children or young people.

The Chair then considered whether the advertisement had undermined the health and well-being of individuals. The Chair said there was nothing in the advertisement that met the threshold to breach this rule. The Chair said scenes of excessive consumption could trigger a breach of Rule 1(h) but in this case, there was no food consumed.

The Chair also considered whether the advertisement was misleading or misrepresented sports people. The Chair said the advertisement showed a commercial association between the Super Rugby New Zealand franchises and a fast food company. The advertisement was not misleading.

The Chair said the advertisement was not in breach of the Advertising Standards Code or the Children and Young People's Code.

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

Chair's Ruling: Complaint **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. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.