

COMPLAINT NUMBER	21/084
ADVERTISER	Kelloggs NZ
ADVERTISEMENT	Kelloggs NZ Television
DATE OF MEETING	1 March 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Kellogg's television advertisement for their Crunchy Nut breakfast cereal shows a man who is clearly in a hurry to get ready to go out. He is shown wearing a towel, running round his home looking for clean clothes to wear. After realising his clothes are in the dryer, the man is shown noticing some pink underpants which are hanging on a coat hanger. He is then shown wearing pink underpants, as he eats his breakfast. Two women enter the room and their faces drop when they see him. The advertisement ends with the text "The trouble is they taste too good."

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

Complaint: During the TVC a male appears wearing a pink of lace womans underwear. Two females enter the room and appear shocked by the appearance of the man wearing effeminate underwear.

I feel saddened that I have to explain that this derogates the transgender, intersex and non-binary communities. There should be nothing humourous to be found in a cis-man wearing effeminate underwear.

Individuals should be free to wear what ever clothing they wish - especially in their own home, free of judgement or fear of being made fun of. This sort of ongoing jest continue to create bias in our community

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

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

The Chair noted the Complainant's concern the advertisement derogates the transgender, intersex and non-binary communities.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the image of the man in pink lacy underwear, in this context, was likely to cause serious or widespread offence, in light of generally prevailing community standards. The Chair said that despite the Complainant's objection to the advertisement, it did not reach the threshold to cause serious or widespread offence for most consumers.

The Chair said the advertisement demonstrated that the man was in such a hurry to eat his breakfast that he was prepared to wear what appear to be someone else's clothes. It is

probable the underpants the man is wearing belong to one of the women, so their reaction is predictable and reasonable, given the circumstances.

The Chair said the advertisement had been prepared with the due sense of social responsibility required and was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards 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 calendar days of receipt of this decision.