

[June 2007]

Advertising Standards Board
Level 2, 97 Northbourne Avenue
Turner ACT 2612

To the Advertising Standards Board

Mainland ‘Munchables’ television advertisement

We write to complain about a television advertisement for Mainland ‘Munchables Milk Protein Bars’ that has been broadcast recently on commercial television stations.

We believe the advertisement breaches clause 2.8 of the AANA Advertiser Code of Ethics because it fails to comply with clauses 3.4 and 2.1 of the AANA Food and Beverages Advertising and Marketing Communications Code (‘Food and Beverages Code’).

We also believe the advertisement breaches clause 2.1 of the AANA Advertiser Code of Ethics, and clause 2.4 of the AANA Advertiser Code of Ethics because it fails to comply with clause 2.3.2(b) of the AANA Code for Advertising to Children.

Breach of clause 3.4 of the Food and Beverages Code

As you would know, clause 3.4 of the Code states:

‘Advertising and/or Marketing Communications directed towards Children for Food and/or Beverage Products shall not aim to undermine parents and/or other adults responsible for a child’s welfare in their role of guiding diet and lifestyle choices.’

We believe the Munchables television advertisement breaches clause 3.4 because it negatively portrays mothers’ attempts to encourage their sons to eat healthily, in a way that aims to undermine parents in their role of guiding diet and lifestyle choices.

The advertisement is clearly directed to children aged 14 or younger for the purposes of the Code – it features primary school-aged boys on their way to school, and the narrator addresses his comments directly to children.

The advertisement features a boy attempting to leave his house and walk to school, while his nagging mother chases him, saying, ‘What have you got in your lunch box? I don’t want you eating any junk,’ and eventually leaps on to his back. They are joined by another son carrying his nagging mother on his back, and the mothers continue to nag the boys with complaints or demands, such as, ‘Listen to me while I’m talking to you!’, ‘You can’t go out like that!’, ‘Have you washed behind your ears?’ and ‘It’s the fourth time...’.

The son is then shown putting a Munchables bar in his lunchbox and the first scene of the advertisement is replayed. This time the son holds up the Munchables bar to his mother while she chases him out the front door, and she immediately stops in her tracks, then waves and smiles sweetly at him. A voice-over says, ‘Get Mum off your back with a Munchables Milk Protein Bar’. The advertisement then shows a bus full of boys being nagged by their mothers on the way to school.

We believe it is clear that the advertisement aims to undermine parents or other adults responsible for children’s welfare in their role of guiding diet and lifestyle choices. The

advertisement aims to disparage parents' efforts to guide children's diets by encouraging them to eat healthily. It portrays these efforts as annoying, interfering nagging, and parents who make these efforts as being on children's backs and weighing them down.

We believe the advertisement aims to undermine parents by encouraging children to:

- scorn parents who attempt to encourage them to eat healthily, and regard such efforts as nagging and an annoyance;
- comply with parents' 'nags' to eat a healthy food only if the food meets other criteria unrelated to nutrition, and only to get parents off their backs, rather than for health reasons;
- try to pass-off (what is actually a high-sugar) product as particularly healthy to their parents in order to stop their parents nagging them to eat other foods that may be more healthy but do not meet the non-nutrition criteria referred to above;
- disregard healthy eating messages, and avoid eating healthy foods if they can get away with it.

We believe the advertisement 'aims to' undermine parents for the purposes of clause 3.4. We note that clause 3.4 does not require undermining parents to be the primary aim of the advertisement. Obviously the primary aim of this advertisement, and of any advertisement, is to promote a product and encourage its consumption (in this case Munchables). However, we believe that as part of the advertisement's overarching strategy to encourage consumption of Munchables by children, the advertisement aims to undermine and disparage parents' efforts to encourage children to eat healthily, in order to appeal to, and strike a chord with, children.

We believe this advertisement is particularly irresponsible given current levels of childhood obesity, and the importance of supporting parents' efforts to guide their children's food choices. Although the ultimate message of the ad is in favour of eating the product (which as discussed below is less unhealthy than some alternative children's snacks but not a product we regard as healthy for children), the overall intention and effect is to portray parents' concern for their children's health as nothing but an annoyance. Therefore both the immediate impact, and the longer-term message, of the ad are of a nature to undermine parents in their role of guiding diet and lifestyle choices.

Breach of clause 2.1 of the Food and Beverages Code

As you know, clause 2.1 of the Food and Beverages Code states:

'Advertising and/or Marketing Communications for Food and/or Beverage Products shall be truthful and honest, shall not be or be designed to be misleading or deceptive or otherwise contravene Prevailing Community Standards....'

We believe the Munchables advertisement is misleading and contravenes Prevailing Community Standards in breach of clause 2.1 of the Food and Beverages Code. The advertisement portrays Munchables as a particularly healthy snack for children. It portrays Munchables as a snack that would be regarded as healthy for children by health-conscious parents – so healthy that if children eat Munchables, they will mollify their parents' concerns about their diets.

In fact, we would not regard Munchables as a healthy snack for children. Munchables contain 29.1-30.5% sugar (depending on their flavour), which equates to 8.7-9.2 grams per serve. Half the carbohydrate content of the product is sugar and the dietary fibre content is low (1.1g fibre per serve), which does not make Munchables comparable to the most desirable snack

foods for children, such as fresh fruits and vegetables (for example a fresh apple contains twice as much fibre, only 10% sugar and less kilojoules). We have received advice from an Accredited Practising Dietitian that the level of sugar in Munchables makes them unsuitable for regular consumption by children. Australian Dietary Guidelines recommend children eat only moderate amounts of sugar each day.¹ Due to Munchables' sugar content, they would not meet the new nutrient profile criteria developed by Food Standards Australia New Zealand to determine whether products are sufficiently healthy to be eligible to make health claims.² Although Munchables may be somewhat less unhealthy than alternative children's snacks, they are not a healthy snack and should only be eaten by children in moderation. Therefore, we believe it is misleading for the advertisement to portray Munchables as a particularly healthy children's snack that would or should be regarded as healthy by parents.

We also believe the advertisement contravenes Prevailing Community Standards in breach of clause 2.1. In view of current community concern about childhood obesity and the importance of encouraging healthy eating habits in children, we believe it is contrary to Prevailing Community Standards on advertising of food or beverage products for the advertisement to undermine parents' efforts to guide children's food choices in the ways we have described above.

We note that unlike clause 3.4, there is no requirement in clause 2.1 that the advertisement must 'aim to' contravene Prevailing Community Standards; it is sufficient if the advertisement has this effect. We believe the advertisement does 'aim to' undermine parents for the purposes of clause 3.4 for the reasons discussed above. However, we note that if the Board does not share this view, it would nevertheless be open to the Board to find that the advertisement contravenes Prevailing Community Standards in breach of clause 2.1 because it has the effect of undermining parents' efforts to guide children's diets.

Breach of clause 2.1 of the AANA Advertiser Code of Ethics and clause 2.3.2(b) of the AANA Code for Advertising to Children

As you know, clause 2.1 of the AANA Advertiser Code of Ethics states:

'Advertisements shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief'.

Similarly, clause 2.3.3(b) of the AANA Code for Advertising to Children states:

'Advertisements to Children...must not demean any person or group on the basis of ethnicity, nationality, race, gender, age, sexual preference, religion or mental or physical disability'.

We believe the 'Munchables' advertisement breaches clauses 2.1 of the AANA Advertiser Code of Ethics and clause 2.3.3(b) of the AANA Code for Advertising to Children.

We believe the advertisement is demeaning to women, and is likely to vilify women by inciting contempt and ridicule towards women in the community. The advertisement negatively portrays women who are mothers and who stay at home to care for their children

¹ NHMRC, *Dietary Guidelines for Children and Adolescents: A Guide to Healthy Eating*, 2003, Canberra: Commonwealth of Australia.

² Described in *Proposal P293 – Nutrition, Health and Related Claims*, Food Standards Australia New Zealand, 4 April 2007, available at <http://www.foodstandards.gov.au/standardsdevelopment/proposals/proposalp293nutritionhealthandrelatedclaims/index.cfm>, accessed 13 June 2007.

as nagging, interfering, and an annoyance to their children. We believe this is likely to encourage children, particularly young boys, to ridicule mothers and women in general, and to treat them with contempt and a lack of respect. The advertisement also reinforces gender-role stereotypes, and encourages a lack of respect in the community for the contribution of women who stay at home to care for their children.

We request the Advertising Standards Board to consider whether the Munchables advertisement breaches the AANA Advertiser Code of Ethics, the AANA Food and Beverages Advertising and Marketing Communications Code and the AANA Code for Advertising to Children in the ways we have identified. (A copy of the advertisement can be provided on request.)