



CASE REPORT

1. Complaint reference number	28/04
2. Advertiser	Heinz Watties Australasia (Greenseas Tuna)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 17 February 2004
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement depicts a dolphin character talking to a tuna fish character. The tuna fish offers to lend the dolphin his wife after hearing that the dolphin's wife had left him. The tag line is "Greenseas tuna in oil. So dolphin friendly it will lend one its wife".

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

"I find this offensive in several ways: 1. discrimination against women is implied.....2. the lending of the wife clearly leaves open the possibility of sexual discrimination/abuse 3. it cannot be countered that the situation is ludicrous therefore harmless"

"Clearly there is a reference to human behaviour parallels."

THE ADVERTISER'S RESPONSE

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

"The intention of the Advertisement is not to be discriminatory or in any way anti-social but to portray a serious message in a humorous way."

"Our intention was not to offend or in any be discriminatory but to communicate the 'dolphin friendly' message in an interesting way through humour."

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the advertiser's comments that the advertisement was to 'portray a serious message in a humorous way.' The Board noted that in the context of prevailing community standards, the majority of people would find this advertisement humorous rather than offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of sex/sexuality/nudity. Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.