



## **CASE REPORT**

1. Complaint reference number	456/03
2. Advertiser	Subway Sandwiches & Salads (Cubic Zirconia)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 17 February 2004
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement depicts a subway sandwich product and states that it won't make up for the fact that your wife doesn't know her ring is cubic zirconia but will make up for any recent deep fried indiscretions due to its low fat qualities. The tagline is "Subway; It's good so you don't always have to be."

## **THE COMPLAINT**

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

*"... I was offended that (1) it should portray women as so shallow that they worried about such things as diamond rings and (2) that it is clever to con a woman."*

## **THE ADVERTISER'S RESPONSE**

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

*"Our ads are meant to be fun and humorous and it was never our intention to offend."*

## **THE DETERMINATION**

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

The Board found that the depiction did not contravene the provisions of the Code relating to discrimination (sex)/vilification.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.