



CASE REPORT

1. Complaint reference number	90/04
2. Advertiser	Merisant Australia Pty Ltd (Equal)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Sexual preference – section 2.1
6. Date of determination	Tuesday, 11 May 2004
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a blind man seated at an outdoor cafe with his guide dog and being served a coffee by a male waiter. The male drinking the coffee explains that he uses Equal because he enjoys the taste.

THE COMPLAINT

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

“The ad is selling homosexuality not artificial sweetner.”

THE ADVERTISER’S RESPONSE

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

“I cannot really comment on the allegations “the ad is selling homosexuality not artificial sweetener” as I am totally baffled as to where these conclusions/impressions came from??”

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 that in the context of prevailing community standards, the majority of people would not find this advertisement offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to discrimination (sexual preference) or vilification.

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