



CASE REPORT

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| 1. Complaint reference number | 30/09 |
| 2. Advertiser | Kellogg (Aust) Pty Ltd |
| 3. Product | Food and Beverages |
| 4. Type of advertisement | Pay TV |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination | Wednesday, 11 February 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement for Kellogg's Nutri Grain product opens with a mother and a young boy on a beach. The young boy is about to start a surf race. Viewers then see the boy doing push ups on the beach. While he does push ups the image changes to an older boy. Viewers then see three boys eating and another scene of a surf race. During the remainder of the advertisement the boy is seen growing up and eventually wins an ironman race. He thanks his mum. During the advertisement a voice over explains that boys need protein for growth and muscle development and that it is one of the highest protein cereals and that as part of a balanced diet and regular exercise it has what it takes to help build your son into an ironman. The advertisement ends with a man standing next to a surfboard and the voice over saying: "Nutri Grain - Iron man food".

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

Because they are saying females don't need protein and energy and that females can't be doing those things, ie. swimming, running and doing push-up's.

I am writing to express a concern about a recent advertisement for the Kellogg's Nutri-Grain Iron Man Series. I have seen this advertisement a few times, and I find it [to] be very sexist towards women, and more specifically towards women with athletic capabilities. In summary, the advertisement portrays a young, active boy who, over the years, becomes stronger and healthier because he eats Kellogg's Nutri-Grain for breakfast each morning. The years he spends training (and developing into an athletic, active teenager) prepares him for the annual Iron Man Competition. The first line of the advertisement voiceover states that "Boys need protein for growth and muscle development." Already, I have an issue with this advert, as the statement implies that only boys require protein for adequate nutrition. Women too, need nutrients for sufficient strength and health and, as many are aware, women - in addition to men, have capabilities of extreme strength and athleticism.

This advertisement also states that "Nutri-Grain has what it takes to help build your son into an Iron Man." I understand that these advertisements aim to promote the 2009 Iron Man Competition, but I am also aware of the fact that there is an Iron Woman Competition in 2009 as well. In this case, it is perfectly reasonable that many peoples' daughters - as well as their sons, may need protein for growth and development. Within this campaign, the female gender - as well as the Iron Woman Competition, has been completely silenced. Especially in this day and age, I am struggling to understand why the entire Iron Woman Series has no campaign whatsoever, and why there seems to be a need to silence women from a competition that caters for both males and females. In addition, the Nutri-Grain website again, shows no mention of the Iron Woman Series.

I do not believe that this advertisement adheres to [the AANA Code of Ethics], and I ask that you

please take into account my concern. I have noticed that Kellogg's Nutri-Grain advertisements have followed a similar trend in the past, with the focus of every single advert being solely on male strength and nutrition - particularly with young boys and teenagers. As a female high school student (who, on occasion does eat Nutri-Grain for breakfast), to watch advertisements like these causes great frustration due to the mere fact that they represent inequality of gender; and, provide misleading information about gender to other young Australians.

THE ADVERTISER'S RESPONSE

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

Kellogg does not believe that the Advertisement is in breach of the AANA Advertiser Code of Ethics. In particular Kellogg does not believe that the Advertisement breaches section 2.1 of the AANA Advertiser Code of Ethics through gender discrimination or vilification.

Section 2.1 provides that "Advertising or Marketing Communications 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."

The Advertisement depicts various aged males participating in a number of activities which take place at the beach and are related to the development and training of surf life savers/surf athletes. In Kellogg's view the Advertisement is not intended to discriminate or vilify the female gender by suggesting that females cannot undertake the same activities including training to become a surf lifesaver/surf athlete, nor is the Advertisement intended to suggest that females do not require protein and energy. Kellogg notes that the Advertisement does not include females undertaking similar activities. This is because the aim of the Advertisement is to promote Kellogg's Nutri-Grain to mothers of male teenagers as male teenagers are the target market of Kellogg's Nutri-Grain.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code") and the AANA Food and Beverages Advertising and Marketing Communication Code (the "F&B Code").

The Board noted the complainants' concerns that the advertisement emphasised the value of the products for boys growing into "Iron Men" and considered the application of Section 2.1 of the Code, relating to discrimination and vilification.

The Board noted that it is up to advertisers to choose their target market and they have the right to advertise to a specific audience. The Board noted that there were no disparaging remarks or images in the advertisement that were discriminatory towards women. The Board considered the positive focus on males did not amount to discrimination against women.

The Board therefore determined the advertisement contained no material that was discriminatory or vilifying on the basis of gender or on any other basis and found no breach of Section 2.1 of the Code.

The Board noted that any health or nutritional claims made about the product in the advertisement were supported by references to its inclusion as part of a balanced diet and that the advertisement also highlighted an active lifestyle. The Board found no breach of Section 2 or any other section of the F&B Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.