



CASE REPORT

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| 1. Complaint reference number | 59/09 |
| 2. Advertiser | Australian Gourmet Meats |
| 3. Product | Food and Beverages |
| 4. Type of advertisement | Print |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1
Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 11 February 2009 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement for Australian Gourmet Meats' shows images of two bottoms. One is less toned than the other showing cellulite. Above the images are the words: "Not all rumps were created equal!". Below the images is an explanation of how rump steak is graded, a guarantee that Australian Gourmet Meats rump steak is tender and contact details and opening hours of the company.

THE COMPLAINT

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

This advertisement is beyond revolting. It is comparing a woman's body LITERALLY to a piece of meat, and then it is suggesting one woman's body is the "prime steak" and the other one "budget/cow" = "ordinary, often tough and tasteless". This is vile, disgusting and should be completely unacceptable to any decent human being. I have never in my life been so disgusted by an advertiser or a publication for allowing us grotesque and offensive notion to be published in a free publication readily available in local stores and cafes and dropped in my letterbox. I believe this ad should be removed, both the advertiser and the publication fined and an apology published.

THE ADVERTISER'S RESPONSE

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

While I have not engaged legal representation for this matter, I have sought appropriate advice. I am advised that the advertisement does not fall within the parameters of section 2.1 of the AANA Advertiser Code of Ethics as, at no stage, does the advertisement compare women to meat, as the complainant asserts. Therefore, no vilification on the grounds of gender has occurred.

The advertisement provides a visual representation of two human body forms and implies that those forms are of a differing nature.

The advertisement then provides consumer educational information as to the various grades of meat available to Australian consumers. At no stage is there, implied or otherwise, a literal comparison between the photographs and the educational material. Nor does the text of the advertisement categorise either subject as suggested by the complainant.

A reasonable person would not draw the inference that the photographic subjects utilised were being compared to, or treated as, meat. Nor was this the intent of the advertisement. Indeed, it would be difficult for any purveyor of fine meats to include any representation of a human form in an advertisement without the complainant drawing the conclusion that the subject was being referred to as meat.

In my opinion, the complaint borders upon the hysterical and is without foundation. I am surprised the complainant has not accused us of the promotion of sex trafficking as the advertisement also includes the word "export" in the text.

The publication referred to is a monthly publication in which Australian Gourmet Meats places a different advertisement in each issue. Please find included a selection of advertisements placed in the same publication over the preceding twelve-month period.

It is not the intention of Australian Gourmet Meats to repeat the publication of the advertisement referred to by the complainant in The Beast or any other publication.

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 was comparing a woman's body to a piece of meat. The Board considered the application of Section 2.1 of the Code, relating to discrimination and vilification on the basis of gender and Section 2.3, relating to sex, sexuality and nudity.

The Board noted the advertiser response that "at no stage is there, implied or otherwise, a literal comparison between the photographs [of the two women] and the educational material [about grades of meat]".

The Board noted that the advertisement includes the headline: "Not all Rumps are created equal" above two photographs of women's bottoms, one that of a larger woman and the other a younger, firmer bottom. The Board did not agree with the advertiser's response that "[a] reasonable person would not draw the inference that the photographic subjects utilised were being compared to, or treated as, meat". The Board considered there was a clear link between the photograph and accompanying headline, and the text beneath the photographs about grading of beef products. The Board considered that reasonable people reading the advertisement would readily infer a comparison between the women and the grades of meat.

The Board considered the juxtaposition of the images with the headline did imply a comparison between the women's bottoms and the different grades of meat. The Board considered that such a comparison was offensive and demeaning to larger women. The Board also considered that any comparison of women to meat was vilifying and discriminatory. The Board considered this comparison was vilifying of women generally and that the advertisement was in contravention of Section 2.1 of the Code. The Board therefore upheld the complaints.

ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

It is not the intention of Australian Gourmet Meats to repeat the publication of the advertisement referred to by the complainant in The Beast or any other publication.