



Case Report

1	Case Number	0049/12
2	Advertiser	Food Safety Information Council
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	22/02/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

‘The Girlfriend’ Community Service Announcement is based around a barbeque theme where a “mate” has got food poisoning due to poor food handling.

The male character is attempting to talk his way out of taking the blame for causing food poisoning despite it clearly being his fault but due to the mate bringing his model girlfriend and distracting him.

THE COMPLAINT

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

The language used in this advertisement is offensive due to the final comments of "who brings their girlfriend to a blokes bbq- she wasn't even that hot". This language about the woman is highly offensive especially at the time of day it was displayed as it can be viewed by youths and adolescent/ teenage boys who then believe it is appropriate to judge women on their looks and that its ok to speak about women in this way. Very offensive!

The man's story includes a reference to the fact that the player who becomes ill had brought his "model girlfriend" to the BBQ. The man goes on to make a non-sequitur with the question "Who brings their girlfriend to a boys' BBQ anyway?" I have no objection to the ad up to this point: this non-sequitur is at least a humorous tag that serves to bring a human element to the message that could help implant the health safety message for some people (i.e. men). It is the final comment from the man following the narrated message about food safety as he is getting up from his chair that "She wasn't even that hot" (referring to the player's

girlfriend) that I find offensive and object to. In filling out the details of this form it was telling that the most appropriate category for the product being advertised is 'Community Awareness'. I believe that this sexist remark is contrary to an advertisement designed to promote community health awareness; making out that the man's subjective view about the looks of the player's girlfriend has a place in an important health message reinforces the idea that a woman's appearance is relevant in the selling of any product or that a woman's looks can be used to justify any action or failure to act.

Without this final remark the ad still has a somewhat humorous reference aimed at a male audience; a device that serves to jolt the viewer out of complacency. Therefore the final objectionable remark is unnecessary and I believe has no place in a community awareness campaign.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Thank you for your Notification of Complaint in relation to 'The Girlfriend' Community Service Announcement. Our comments in relation to the complaint are outlined below.

We note that the ASB is considering the CSA in relation to issues which fall under Section 2 of the Advertiser Code of Ethics. For the reasons outlined below, we do not consider that the complaints should be upheld.

The Council believes the complaints could be viewed as relevant to Section 2 of the Advertiser Code of Ethics, specifically 2.1 dealing with discrimination and vilification on account of sex.

The Council does not believe the complaints are relevant to the AANA Code for Advertising and Marketing Communications to Children or the AANA Food and Beverages Marketing and Communications Code as the CSA is not aimed at children nor does it aim to sell food or beverages.

In reference to Section 2.1 the Council may agree that, taken out of context, the offending comment "She wasn't even that hot" may be interpreted as derogatory to women, this was in no way the aim.

Rather the entire portrayal of the male actor was to emphasise that he was not a role model to be emulated, but that his self justifying defiant attitudes, his refusal to take responsibility for his own actions, and his blaming, silly remarks makes him a foolish person with foolish attitudes on many things, whose ignorance has caused people to become ill, possibly seriously.

The characterisation was intended to be presented with irony and have a number of layers. A core aim was to encourage people to see that being a self justifying jerk could have significant consequences, and that it was important to take responsibility for one's own actions particularly when dealing with basic health issues which could have significant impacts. We believe most people understand the irony of the portrayal.

OzFoodNet which monitors food poisoning in Australia estimates 5.4 million cases per year, resulting on average in 120 deaths, 1.2 million visits to doctors, 300,000 prescriptions and 2.1 million days of lost work.

The primary target audience of the CSA is 30-40 year old males. This focus is backed by the Council's extensive research, spanning more than a decade. This research shows that males are increasingly taking on the role as key food preparers in the domestic environment but often lack the knowledge or focus required to ensure cross contamination, a major cause of food poisoning, is avoided.

The Council fully understands all discrimination, including sexism, is a serious issue. For this reason it was mindful in creating the CSA that the final remark "She wasn't even that hot." was correctly interpreted by and acceptable within the community.

To this end, the Council ensured the CSA was extensively viewed through formal and informal networks both in Australia and internationally. The review process encompassing many of the Council's member organisations including nationwide local, state, territory and federal governments, industry, professional bodies and community organisations, including the Country Women's Association.

Additionally, federal and state organisations supporting the funding of the CSA were requested to ensure the CSA was subjected to all relevant internal and external approval processes before sign-off. These organisations included the Victorian Department of Human Services, the New South Wales Food Safety Authority, the Queensland Department of Health, Safe Food Production Queensland, and Food Standards Australia New Zealand.

As a not for profit group with limited resources, the Council works closely with other agencies around the world to share concepts for public education on food safety. This advertisement was based on similar food safety advertisements developed by the Food Safety Authority of Ireland. The theme of an anonymous confession of someone who had caused food poisoning was used with FSAI's permission and adapted to Australian scenarios. FSAI and the New Zealand Food Authority were also given the opportunity to comment.

The CSA was subjected to review by the Television Commercial Approvals Bureau in 2008. Despite this extensive review process, at no stage did the Council receive any feedback that the CSA was outside acceptable community norms in regard to sexism or any other type of discrimination.

CONCLUSION

The Food Safety Information Council submits that the CSA does not portray people or depict material in a way which discriminates against or vilifies a person or a section of the community on account of sex as the portrayal of the character is someone whose ideas and attitudes are to be avoided rather than emulated.

In summary, the Council submits that the context of the CSA is well within prevailing community standards and that the CSA complies with Section 2.1 of the Code.

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 complainants' concerns that the advertisement depicts material which is offensive to women.

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: "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...gender...”

The Board noted that the advertisement features a man talking about when he accidentally poisoned his friend at a BBQ because he was distracted by the friend’s model girlfriend.

The Board noted that this is a Community Service Announcement produced free of charge and that the new version of the Code, which came in to practice on the 1st January this year, now allows the Board to consider these pro-bono advertisements.

The Board also noted the serious community message concerning food safety and considered that the situation presented is intended to present a humorous but relatable scenario to demonstrate how easily food poisoning can occur.

The Board noted that at the end of the advertisement the man says, “Who brings their girlfriend to a blokes’ barbie anyway? She wasn’t even that hot.” The Board considered that it is not demeaning to women for a man to suggest that it was not appropriate for one of his friends to bring his girlfriend to a guys’ get together.

The Board noted the comment at the end of the advertisement ‘She wasn’t even that hot’ was not intended to be demeaning to women- rather was in the context of a man being embarrassed that he inadvertently gave his friend food poisoning.

Some members of the Board expressed concern that a community service announcement would include a comment about a female not being ‘that hot’ and considered that whilst it didn’t amount to a statement which discriminates against or vilifies women it is a statement which some members of the community could find demeaning. In the Board’s view, a gratuitous comment that a women is not particularly attractive, whilst not breaching the provisions of the Code, may not be a particularly appropriate comment for this type of advertisement.

The Board determined that the material depicted did not discriminate against or vilify any person or section of the community on account of gender and did not breach Section 2.1 of the Code.

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

