



CASE REPORT

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| 1. Complaint reference number | 340/06 |
| 2. Advertiser | Dulux Australia (Aquanamel) |
| 3. Product | Housegoods/services |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Religion – section 2.1 |
| 6. Date of determination | Tuesday, 12 September 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a backing track of Handel’s Messiah “Hallelujah Chorus” as Dulux Aquanamel is being shown applied to household woodwork then the paint brushes being washed in water as the traditional “Dulux dog” looks on.

THE COMPLAINT

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

The advertisement vilifies the faith of all practicing Jews and Christians, using a very sacred phrase which we use in our devotions to worship God in Churches and Synagogues. This is unacceptable....The mocking use of this phrase on television by a paint manufacturer to sell his products is not just insensitive and in poor taste. It smacks of religious vilification.

To use a vocalist singing “Hallelujah”, which as you know, means “Praise to the Almighty” to extol a washable paint is to be the basest possible blasphemy.

I found it offensive because of the use of sacred music – Handel’s Hallelujah Chorus from the Messiah. It may be out of copywrite (sic), but it is not appropriate to use to sell a product.

THE ADVERTISER’S RESPONSE

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

“Hallelujah” is now a common everyday term and has a well established meaning as an expression of relief, gratitude and surprise. This is very much the context in which the term has been used in the commercial.

The advertisement does not use the term “Hallelujah” or the music of the “Hallelujah Chorus” in a way that vilifies the Jewish or Christian faith.

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 complainant’s concern that the advertisement used music that was offensive to certain religions. The Board considered that *Handel’s Hallelujah Chorus* is very well recognised and holds wide community appeal rather than just being recognised as a religious piece. The Board considered that this music was widely appreciated and known and that its use in the advertisement was a somewhat tongue in cheek reference to the joy that the new Dulux paint will bring to its users.

The Board considered that the use of the music in the context of this advertisement for paint did not vilify the Jewish or Christian faith.

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