



Case Report

1	Case Number	0046/13
2	Advertiser	Fosters Australia, Asia & Pacific
3	Product	Alcohol
4	Type of Advertisement / media	Billboard
5	Date of Determination	13/02/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Age

DESCRIPTION OF THE ADVERTISEMENT

The outdoor billboard shows a gentleman who is expressing his surprise at a cider called "Dirty Granny". He is looking in the direction of the product - a super imposed bottle image.

THE COMPLAINT

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

The ad is for a cider called "Dirty Granny" and I am assuming that the expression on the male's face is to indicate that "granny" has done something that is "dirty". I actually find the poster very offensive. I have no idea whether it is a one-off poster or it is also an ad on TV (I don't have a TV), or in fact it is a poster that appears around town, this is the only place I have seen it.

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 correspondence regarding a single (1) complaint against an outdoor billboard for a cider called "Dirty Granny". The complaint reference is 0046/13. There are two outdoor billboards that feature the same campaign concept (but with different

talent) and they appeared in Sydney, Melbourne, Brisbane, Adelaide and Perth throughout November and December 2012 (with a few remaining sites still using the creative). In this instance the complainant has named the billboard that features Tom as the cause for their concern.

The campaign is designed to raise awareness of the cider in a striking but fun way and to encourage brand name recall in a competitive cider market. For your background, the inspiration for the brand name stems from a few things - granny apples are amongst the apples used to make this cider and the liquid was also a dirty/rusty colour. This, combined with the team's sense of humour, made Dirty Granny the chosen one. The Matilda Bay Brewing Company (who produce and market the cider) has a track record of irreverent brand names ranging from Big Helga to Minimum Chips to Fat Yak. The cider label/bottle, which features prominently on the billboard, has a 'knitted logo' with a green apple that states "Dirty Granny".

The outdoor billboard shows a gentleman who is expressing his surprise at a cider called "Dirty Granny". He is looking in the direction of the product - a super imposed bottle image. You could argue there are other ways to interpret this concept but they are not brought to life/spelt out on the billboard. That is, there are no explicit words or images beyond the bemused/surprised male talent and the product shot. We disagree that the facial expression is one of disgust as the complainant has suggested.

Specifically you have asked us to respond to whether this outdoor billboard discriminates or vilifies and we don't believe it does. The representation of our talent is appropriate and respectful. The talent were paid and properly briefed on the campaign concept. The Matilda Bay Brewing Company traditionally runs tongue in cheek advertising and they spent time selecting the talent and the final imagery to ensure it was a light hearted and fun campaign. In this case, they felt it was appropriate for a 70 year old plus male to participate in a fun advertising campaign for a few reasons including the fact that he is 'in on the gag' (a cider with a cheeky name) – it is clearly not a joke at his expense. As an aside, both the men really enjoyed the shoot itself and the end result.

For the reasons stated above we do not believe it is a negative depiction of an older person nor does it humiliate or ridicule the talent and so does not discriminate or vilify. These watchouts were flagged in past ASB determinations and the code practice notes as ways to potentially breach the AANA Code of Ethics section 2.1. More broadly we also believe that the advertisement is compliant with the Code in its entirety. In support of this, there is a complete absence of violence, discrimination, nudity, obscene language and any sexual themes.

The billboards were prevetted (AAPS number 11865) via the independent alcohol advertising prevetting service against the ABAC. The CUB team take their commitment to the responsible marketing of our products seriously and if we can provide further information or assistance, please let me know.

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 concerns that the advertisement is offensive in its suggestion that a grandmother has done something dirty.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted that the advertisement features an elderly man with a look of surprise on his face and a bottle of Dirty Granny.

The Board noted that the advertised product is an alcoholic cider called Dirty Granny and that we cannot see exactly what the man is looking at. The Board noted the look of surprise on the man's face and considered that there are many possible explanations for his reaction. The Board noted that the complainant had interpreted the advertisement as suggesting that a grandmother had done something sexually suggestive. The Board considered that the man's look is of surprise with no suggestion of 'disgust' and that while a number of scenarios can be imagined in the image in the Board's view there is nothing depicted or suggested that is discriminatory or vilifying to older people.

Based on the above the Board determined that, in this instance, that the advertisement did not depict any material that discriminated against or vilified any person or section of society.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

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