



Ad Standards Community Panel
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Ad Standards Limited
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Case Report

1. Case Number :	0055-20
2. Advertiser :	Australian Pork Ltd
3. Product :	Food/Bev Groceries
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	12-Feb-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.4 Sex/sexuality/nudity

DESCRIPTION OF ADVERTISEMENT

This television advertisement depicts a couple on a bus. They discuss doing something, suggesting a quickie, that they could do it that night, on the deck, and suggest inviting the neighbours. The couple get stares from other passengers. The advertisement then switches to a BBQ scene showing the couple cooking pork on the BBQ with their neighbours.

THE COMPLAINT

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

The couple describe eating pork as if it were sex. They allude to sex on their deck and asking the neighbours to join in. Two people on the bus overhear who are underage and clearly in school uniforms. Speaking to an underage woman about an orgy would quickly get the attention of the police. Yet, in the commercial they are clearly alluding to sex and the young man and woman clearly over hear.

The advertisement was extremely suggestive with sexual connotations in regards to a couple having Pork for dinner, the couple are discussing eating the pork in a very provocative way as they are travelling on public transport. I found it inappropriate for the time slot it was aired and did not inspire me to but the product at all.



THE ADVERTISER'S RESPONSE

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

BACKGROUND

Australian Pork Limited (APL) is a pig producer-funded organisation that undertakes R&D, marketing, and government communication for the industry – things that individual farmers cannot do for themselves.

APL invested approximately \$3 million in above-the-line advertising this year to promote fresh pork products, which account for about twelve per cent of all fresh meat sales nationwide. We spend a comparable monetary figure on research, retailer collaboration and supply chain engagement for new product development.

Following extensive consumer research first into the usage and attitude of pork consumption in 2011 and protein territory research in 2016, APL developed a positioning strategy for the current advertising campaign (which includes the Quick Steak Ad), which appeals to our key media target segments of grocery buyers.

THE COMPLAINTS

The complaints are based on various concerns about the Quick Steak Ad, including that it contains "sexual connotations", or "discussing pork as though it were sex". The complaints raise issues under Section 2.4 of the AANA Advertising Code of Ethics (Code) – "Sex / sexuality / nudity – general". We address these sections of the Code in more detail below.

Section 2.4 of the Code

Section 2.4 of the Code states that Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

We note that APL conducted significant research into audience preferences prior to the production of the Quick Steak Ad to ensure that the sexual innuendo used was appropriate (discussed further below). We entirely reject the claims made by the complainants that the Quick Steak Ad is inappropriate or "discusses pork as though it were sex". We submit that the language used is light-hearted, humorous and consistent with modern Australian vernacular. Often Australians colloquial speaking can result in misunderstandings, such as the scenario in the ad with a couple discussing referring to a quick dinner as a "quickie" and being misunderstood when overheard.



We again refer to the Practice Note which states that "use of the word 'sex' does not, of itself, make an advertisement unacceptable. However, such advertisements must not contain images that are highly sexualised." We submit that not only is use of the word "quickness" very mild and appropriate in the context of advertising pork meat and a quick dinner occasion, but there are no other sexual references, images or words used in the Quick Steak Ad.

We submit that the very mild sexual innuendo created through use of the word "quickness" is entirely appropriate to a general audience based on the CAD rating and does not breach section 2.4 of the Code.

Audience Research Conducted by APL

To ensure the Quick Steak Ad had messaging which was highly relevant and was delivered in a respectful, appropriate manner, APL worked closely with three agency partners throughout the development process to ensure both visual and audio cues were tasteful and non-suggestive. These parties included our advertising research agency, Pulse Research, our creative agency, Noble Brands and our advertising pre-testing and tracking agency, Thrive research. APL was keenly aware during the development process that producing insensitive content would not only turn off APL's target audience (thus rendering the advertisement counterproductive), but it would also detract from the key insight of humour in misinterpretation – which the advertisement was built upon. We enclose a document titled "Supporting Research", which details the research and analysis that went into developing the Quick Steak Ad and making sure that all aspects of the material used (including references to age and sexual innuendo) was appropriate for the audience.

APL conducted consumer surveys to ensure that reactions to the Quick Steak Ad would be positive. Not surprisingly, after viewing the advertisement, 33% of respondents suggested that they would either "enjoy watching it a lot" or "quite enjoy watching it" and 60% of respondents saying they liked the ad. Not only that, but the ad was found to be more highly likeable and fun to watch for those households who had children. Therefore, APL felt confident in the appropriateness of the Quick Steak Ad based on the thorough research and empirical evidence it had gathered.

CAD rating

The Quick Steak Ad was awarded a J rating by CAD (Free TV Australia). As a J rated advertisement, the commercial has been deemed acceptable to broadcast any time of the day except during pre-school and children programs. While the campaign is not targeted at a younger audience, the fact that CAD awarded a J rating testifies that the campaign treats sex, sexuality and nudity with sensitivity, as mandated by the Code.

Conclusion

Finally, it should be noted that the vast majority of people who have seen the Quick Steak Ad will have previously seen other APL advertisements containing similar themes



based on "misinterpretation". An example of this is APL's previous advertisement Get Some Pork on Your Fork - Postman. This ad was reviewed by the Advertising Standards Bureau in 2012 with any suggestion of inappropriateness being successfully dismissed - for further information please see case file # 0008/12.

I trust the explanation above has provided a more comprehensive understanding of the extensive efforts made by APL to ensure an appropriate and effective advertising campaign, while addressing your concerns.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concerns that the advertisement is sexually suggestive.

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

The Panel considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".

The Panel considered whether the advertisement contained sex, sexuality or nudity.

The Panel considered whether the advertisement depicted sex. The Panel noted the dictionary definition of sex most relevant to this section of the Code of Ethics is 'sexual intercourse; sexually stimulating or suggestive behaviour.' (Macquarie Dictionary 2006).

The Panel considered that the depiction of the couple on the bus is not of itself a depiction of sexual intercourse, sexual stimulation or suggestive behaviour and that the advertisement as a whole did not contain sex.

The Panel considered whether the advertisement contained sexuality.

The Panel noted the definition of sexuality includes 'sexual character, the physical fact of being either male or female; the state or fact of being heterosexual, homosexual or bisexual; sexual preference or orientation; one's capacity to experience and express sexual desire; the recognition or emphasising of sexual matters'. The Panel noted that the use of male or female actors in an advertisement is not of itself a depiction of sexuality.

The Panel considered that some members of the community may consider the sexual innuendo in the advertisement to be sexualised. The Panel determined that the advertisement did contain sexuality.



The Panel considered whether the advertisement contained nudity and noted that the dictionary definition of nudity includes 'something nude or naked', and that nude and naked are defined to be 'unclothed and includes something 'without clothing or covering'. The Panel considered that the Code is intended for the Panel to consider the concept of nudity, and that partial nudity is factor when considering whether an advertisement contains nudity.

The Panel noted that everyone in the advertisement is fully clothed, and determined that the advertisement did not contain nudity.

The Panel then considered whether the advertisement treated the issue of sexuality with sensitivity to the relevant audience.

The Panel considered the meaning of 'sensitive' and noted that the definition of sensitive in this context can be explained as indicating that 'if you are sensitive to other people's needs, problems, or feelings, you show understanding and awareness of them.'
(<https://www.collinsdictionary.com/dictionary/english/sensitive>)

The Panel considered that the requirement to consider whether sexual suggestion is 'sensitive to the relevant audience' is a concept requiring them to consider who the relevant audience is and to have an understanding of how they might react to or feel about the advertisement – the concept of how subtle sexual suggestion is or might be is relevant to the Panel considering how children, and other sections of the community, might consider the advertisement.

The Panel considered that the advertisement creates a level of sexual innuendo by talking about a "quickie" and in the way the other passengers on the bus look at the couple speaking. The Panel considered that the advertisement uses a relatable misunderstanding to create a light-hearted, humorous scene and noted that the couple appear oblivious to the sexual connotations of their conversation. However the advertisement clearly finishes revealing it is an advertisement for pork and shows the couple from the bus barbecuing on the deck with other people.

The Panel noted a complainant's concern that one of the groups looking at the couple as they speak about a "quickie" appear to be underaged, and that speaking about an orgy in front of children underage children is inappropriate.

The Panel noted that the people may be under 18, but they are clearly older teenagers and are not young children. The Panel again noted that the advertisement resolves itself and it becomes clear that the couple are not speaking about sex.

The Panel considered that the slight sexual innuendo is unlikely to be understood by children. The Panel acknowledged that some members of the community would prefer that this type of sexual innuendo not be used on television where children can hear it, but considered that the actual content of the advertisement is not sexually



explicit and did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

The Panel determined the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant broad audience and did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach any other section of the Code, the Panel dismissed the complaints.