



Ad Standards Community Panel
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Case Report

1. Case Number :	0067-21
2. Advertiser :	Treasury Wines Estates
3. Product :	Alcohol
4. Type of Advertisement/Media :	TV - On Demand
5. Date of Determination	24-Mar-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This TV on demand ad is for squealing pig wines and features a husband and wife having dinner, both played by the same male actor. She watches him while he eats, chewing loudly, and looks frustrated.

The voice-over states, "This little pig had roast beef, chewed really loud, drove his wife insane".

The TVC cuts to the exterior of the house and when it returns to the dining table, the 'wife' is happily eating 'roast pork' on her own and removes what appears to be a wedding ring from her mouth.

The voice-over states, "Until one day it stopped. That little pig had roast pork".

THE COMPLAINT

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

Misogynistic. Husband eats wife for being annoying

THE ADVERTISER'S RESPONSE



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

Thank you for giving Treasury Wine Estates (TWE) the opportunity to respond to the Ad Standards complaint reference number 0067-21 received 4 March 2021, which relates to the Squealing Pig 'Roast Beef' television commercial (TVC).

The consumer complaint states: 'Misogynistic. Husband eats wife for being annoying'. TWE has been asked to consider whether the TVC raises issues under Section 2 of the AANA Advertiser Code of Ethics (Code), the key issue being the allegation that it discriminates against or vilifies of an individual or group of people on the basis of gender.

As we have been asked to address all parts of Section 2 of the Code, our responses in relation to each section are set out below.

Description of the advertisement

The Squealing Pig Roast Beef TVC forms part of a series of five TVCs based on the well-known 'this little pig rhyme', all of which are intended to be quirky and humorous in nature, consistent with the Squealing Pig brand as a whole. The Roast Beef TVC relates to the third line of the rhyme 'this little pig had roast beef' and plays on 'pet peeves' between couples. The 'female pig' character is serving up roast beef to the 'male pig' character, who appears to be her husband. She watches him while he eats, chewing loudly, and looks frustrated. The TVC cuts to the exterior of the house and when it returns to the dining table, the 'wife' is happily eating 'roast pork' on her own and removes what appears to be a wedding ring from her mouth. The two characters are played by the same actor dressed as the various 'pigs', which is intended to convey the light-hearted and absurd nature of the content. The TVC is not intended to be taken seriously or literally and, in our view, the relevant audience would understand this. TWE notes that the TVC was screened during the 'Degrassi High' program on 9Now (on demand television) and was targeted at viewers aged 18 years or over in accordance with the ABAC Placement Rules and Commercial Television Code of Practice. Demographic information supplied by Channel 9 confirms that 98% of the Degrassi High viewers are 18 years of age or over.

Section 2.1 – Discrimination or vilification

In TWE's opinion, the TVC does not contain material that is discriminatory or that vilifies on the basis of gender for the following reasons:

- The TVC plays on 'pet peeves' between couples and does not belittle or create a negative impression of either men or women on the basis of gender. Rather, the scenario is entirely fictional and absurd; the storyline and setting are so far-fetched that a reasonable person would understand the TVC is not intended to be an accurate depiction of real life.*
- As noted above, in order to add to the absurd nature of the narrative, the male actor is dressed up as two different 'pigs', wearing a shirt and tie and braces as the 'male pig' and a headband and tailored shirt with a brooch as the 'female pig.' These clothing choices are not intended to perpetuate stereotypes about femininity or*



masculinity, but are employed for dramatic purposes to ensure the characters are differentiated.

- *In TWE's view, the TVC is not in any way misogynistic. 'Misogynist' is defined in the Cambridge Dictionary as showing feelings of hating women or a belief that men are much better than women. The TVC does not in any way portray hatred of women, nor does it imply that men are better than women in any way.*

Section 2.2 – Exploitative and degrading

In TWE's opinion, the TVC does not contain material that is exploitative or degrading of any individual or group. It does not take advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities or by focusing on their body parts where this bears no direct relevance to the product or service being advertised. Nor does it in any way lower in character or quality a person or group of persons.

Section 2.3 – Violence

The TVC does not present or portray violence. While the story implies that the female pig may have 'eaten' the male pig, the ad is highly stylised and does not depict realistic or actual violence, nor does it imply that violence is an acceptable or appropriate resolution to domestic issues. In TWE's opinion, it would be unrealistic to suggest that the community would be encouraged to "cook" their partner and eat them for dinner after viewing this marketing communication.

Section 2.4 - Sex, sexuality and nudity

In TWE's opinion, the TVC does not contain any material that is sexual in nature.

Section 2.5 – Language

In TWE's opinion, the advertisement does not contain inappropriate, strong or obscene language.

Section 2.6 – Health and Safety

In TWE's opinion, the TVC does not depict material contrary to Prevailing Community Standards on health and safety.

Section 2.7 – Distinguishable as advertising

The TVC is clearly distinguishable as advertising given the branding and product is prominently displayed at the beginning and end of the TVC.

Final Remarks

As a responsible marketer, TWE demonstrates a long-standing commitment to upholding both the letter and the spirit of the Code. TWE maintains strict processes, including internal guidelines (in the form of a Responsible Marketing Handbook and Marketing Approvals Checklist which specifically refer to the Code) and training to assist our marketing and communication teams to develop marketing campaigns that meet the requirements of the Code.



In addition, at TWE respect for human rights is the cornerstone of our culture. This includes supporting the elimination of gender-based violence and educating our team members through regular workshops and participation in key events such as International Day for the Elimination of Violence Against Women. TWE notes that the TVC was reviewed and approved by the ABAC pre-vetting service in August 2018, but was not pre-vetted with Ad Standards.

Further to the above, the Squealing Pig 'Curly Tales' campaign has been running since 2018 and the 'Roast Beef' TVC no longer appears via the on-demand channel.

Thank you for considering our response.

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 complainant's concern that the advertisement is misogynistic.

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

Section 2.1: Advertising or Marketing Communication 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 race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

The Panel noted the AANA Practice Note which provides guidance on the meaning of:

- Discrimination - unfair or less favourable treatment
- Vilification - humiliates, intimidates, incites hatred, contempt or ridicule
- Gender - refer to the attributes, roles, behaviours, activities, opportunities or restrictions that society considers appropriate for girls or boys, women or men. Gender is distinct from 'sex', which refers to biological differences.

Does the advertisement portray material in a way which discriminates against or vilifies a person on account of gender?

The Panel considered that although both the husband and wife roles were played by the same actor, there were two distinct gender roles identified in the advertisement – husband and wife.

The Panel noted that the voice-over states, 'this little pig' as the husband character is shown. The Panel considered that the statement is linked to the nursery rhyme and the name of the product, and did not imply that the man is a pig because of his gender, or that all men are pigs.



The Panel noted that there is a suggestion that the wife eats her husband, and considered that the suggested reason is because he is annoying, not because he is male.

The Panel considered that while gender roles were identified through the label 'wife' and the use of the pronoun 'he', there was no direct implication that the husband character received unfair or less favourable treatment because of his male gender. The Panel considered that there was also no direct implication that the wife's behaviour was because of her gender or would incite hatred or contempt of the wife character due to her gender.

Overall, the Panel considered that the highly-stylised, nursery-rhyme-themed, absurd nature of the advertisement meant that the characters would be unlikely to be seen as representative of their genders, or discriminated against or vilified on account of their gender.

Section 2.1 conclusion

Finding that the advertisement did not portray material in a way which discriminates against or vilifies a person or section of the community on account of gender, the Panel determined that the advertisement did not breach Section 2.1 of the Code.

Section 2.3 Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

The Panel noted the Practice Note for the Code includes: "Realistic depictions of the consequences of violence are not acceptable. More leeway is permitted where the depiction is stylised rather than realistic. However, advertisers should exercise caution when using cartoon violence as a cartoon style may be attractive to children."

Does the advertisement contain violence?

The Panel noted that there is no definition of violence in the Code or the Practice Note.

The Panel noted that there is a suggestion that the wife character has eaten the husband character and considered that this is a suggestion that violence has occurred.

The Panel considered that the advertisement contained violence, however that the violence was highly-stylised and absurd and the overall impact of the violence was mild.

Is the violence justifiable in the context of the product or service advertised?

The Panel noted that the product being advertised was a wine brand called squealing pigs which featured stylised nursery rhyme lyrics on the label.



The Panel considered that the suggestion that the wife character had killed and eaten her husband could be considered to represent domestic violence.

The Panel acknowledged that domestic violence is a serious issue, is not funny and that domestic violence can be perpetrated by both men and women.

The Panel considered that the violence was not seen. The Panel considered that while there is a suggestion of violence in the advertisement this is exaggerated and portrayed as though part of a nursery rhyme. The Panel considered that the fact both characters were played by the same actor added to the fantasy and absurdity of the scene. The Panel considered that the couple's actions were unlikely to be taken seriously by most members of the community. Overall, the Panel considered that the violence in the advertisement was suggested rather than depicted, was mild, and was not inappropriate in the context of the nursery rhyme themed product.

Section 2.3 conclusion

In the Panel's view the low level of violence portrayed in the advertisement was justifiable in the context of the product or service advertised and did not breach Section 2.3 of the Code.

Conclusion

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

ABAC Code

ABAC Code The Panel noted that advertisements about alcohol products may be considered against the provisions of the AANA Advertiser Code of Ethics as well as the Alcohol Beverages Advertising Code Scheme (ABAC). The Panel noted that complaint/s in this case were referred to ABAC for assessment. The Panel noted that the ABAC Responsible Alcohol Marketing Code (ABAC Code) is an alcohol specific code of good marketing practice and has specific standards which apply to the promotion of alcohol products. The Panel further noted that it can only consider complaints about alcohol advertising under the concept of prevailing community standards as set out by the AANA Code of Ethics. The Panel noted that the advertisement may be considered by the ABAC Chief Adjudicator or the ABAC Adjudication Panel applying the ABAC Code, as well as this determination under the Code of Ethics.