



## Case Report

1	Case Number	0069/17
2	Advertiser	Trelly's Tackle World Shepparton
3	Product	Retail
4	Type of Advertisement / media	Print
5	Date of Determination	08/02/2017
6	DETERMINATION	Upheld - Modified or Discontinued

### ISSUES RAISED

2.1 - Discrimination or Vilification Religion

### DESCRIPTION OF THE ADVERTISEMENT

This print advertisement for Trelly's Tackle World features images of the products available to purchase in their Australia Day sale along with an offer of free pork kebabs: "1 day only! Halal or Haram".

### THE COMPLAINT

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

*The advertisement is incredibly offensive because it is aggressively attacking Muslims and is therefore very Islamophobic. The use of the words 'PORK kebabs' is offensive because it is well-known that kebabs are a key food in cultures that are predominantly Muslim and that kebabs in Australia are associated with the world halal and Islam in general. This is an initiative to exclude Muslims from Australia Day celebrations and to suggest that Muslims are not Australians and are not welcomed. This is unAustralian itself because Australia is suppose to be multicultural and accept all religions and cultures.*

### THE ADVERTISER'S RESPONSE

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

*Response to cases 0054/17 and 0069/17*

*Let me start by saying that i am deeply offended by the Author of such a letter.*

*[The complainant] remarked as to me aggressively attacking Muslims, yet I have not used the term Muslim at all.*

*[The complainant] goes on to say that kebabs are a food key in some cultures and predominantly Muslim but does not go as far as to say that kebabs are exclusive to some cultures and that a kebab cannot be made out of pork .*

*To the contrary, kebabs can come in the form of thin bread rolls with contents such as lettuce, tomatoes, garlic and a variety of meats.*

*It can also be in the form of a wooden spike that can contain onions, capsicum, tomatoes various meats and garnishes, some of which can also contain port, wine and alcohol. There is nowhere that I have found that a kebab cannot be made without pork.*

*In fact I know of Muslims that eat pork, drink and deal in alcohol and whose families settled in this great country over 50 years ago.*

*These same people saw fit to assimilate in Australia and by that I mean abide by Australian Laws.*

*My ad did not in any way suggest that anyone who abides by our Laws is not welcome in Australia as [The complainant] writes.*

*I write this letter to whom this may concern with a reminder that in Australia we are free to eat and drink what we want within the laws of Australia and that [The complainant] is hiding behind the misuse of very loosely used words like Multiculturalism and Islamophobic.*

*I have also enjoyed by far a greater number of people who like my ad.*

## **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 and Islamophobic as it links pork with Muslims.

The Board reviewed 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 this print advertisement for Trellly's Tackle World features an offer for free pork kebabs during their Australia Day sale, with the text, "Halal or Haram?"

The Board noted the advertiser's response that Australians are free to eat what they want and that some Muslims do eat pork.

The Board noted that the consumption of pork is forbidden in Islam. The Board noted the advertisement's reference to Halal (permitted) and Haram (forbidden) (<http://arabiconline.eu/>) and considered that by linking a food forbidden to Muslims with text that suggests they can order the food as permitted or forbidden is provocative and likely to cause offense to those who follow the Islamic faith.

The Board noted that the Practice Note for Section 2.1 of the Code of Ethics provides the following definitions:

- Discrimination – unfair or less favourable treatment
- Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.

The Board noted that offering free pork kebabs is not of itself a breach of the Code but considered that the advertisement's offer of pork kebabs in conjunction with the phrase akin to 'permitted' or 'forbidden', particularly in association with Australia Day, is clearly targeting Muslims in a manner intended to provoke a reaction. The Board considered that the advertisement humiliates and ridicules Muslims in its suggestion that they would or could eat pork.

The Board considered that the advertisement did portray or depict material in a way which vilifies a person or section of the community on account of religion and determined that the advertisement did breach Section 2.1 of the Code.

Finding that the advertisement did not breach Section 2.1 of the Code, the Board upheld the complaint.

## **THE ADVERTISER'S RESPONSE TO DETERMINATION**

The ad that was the subject of complaint received by Advertising Standards Bureau will not aired or copied onto any public media via paper, TV or radio.