



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0091/19
2	Advertiser	Casella Family Wines
3	Product	Alcohol
4	Type of Advertisement / media	Poster
5	Date of Determination	03/04/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement features the text “Rich tropical fruit notes and hints of vanilla, with a buttery texture and elegant finish. An exceptional Aussie white.” All the words except Rich, elegant and white are crossed out. The poster features an image of a bottle of wine, and additional text stating “We take wine seriously, so you don’t have to”.

THE COMPLAINT

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

The ad crosses out a string of adjectives usually used to describe wine and it replaces them with three single words suggesting a no fuss, shortcut meaning. The words are RICH, ELEGANT & WHITE. The words that have been crossed out and replaced with “white” are “An exceptional Aussie”. This ad implies that only a white person can be an “exceptional Aussie” and is therefore racist and offensive.



"Rich, Elegant, White." Do I need to say any more? This is clearly racist advertising.

THE ADVERTISER'S RESPONSE

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

- *The positioning of [yellow tail] has always been as an inclusive brand and our brand communication strategy is to appeal to, and engage with, a broad audience.*
- *The idea behind this campaign platform is 'We take wine seriously, so you don't have to', with the creative idea to simplify the wine category for consumers. The OOH campaign aims to use simple language and descriptors to explain the wine varietal by eliminating the wine jargon and complexity often associated with the category.*
- *This advertisement describes the wine profile of our [yellow tail] Chardonnay. The descriptors used "rich" & "elegant" relate to how our winemakers best describe the style of our Chardonnay wine – and "white" refers to the Chardonnay being a white wine, which is also reinforced by the image of the Chardonnay bottle. To note that "Rich", "Elegant" and "White" are all widely used wine descriptors.*
- *This creative is part of a series of white and red wines creatives that aim to simplify wine language and therefore help consumers to easily choose between the different styles of red and white wines available with the use of 2 main wine descriptors that best characterises the different wine styles.*
- *It was not intended to cause offence and as soon as the marketing team were made aware of the complaints and that the ad had been misinterpreted, the decision was made to remove the ad. We are now reviewing all of the campaign creative executions in light of these complaints.*
- *To note that this creative has been submitted and approved by ABAC (Alcohol Beverages Advertising Code) on 18 September 2018.*

Below you will find the course of actions that has been taken in relation to this creative:

- *We received a comment on Social Media on 26/02/19, we then realised that the Chardonnay creative could be misinterpreted in isolation of the other varietal ads.*
- *We crafted a response to the consumer. The response reads as follows: Thank you for reaching out regarding our current advertising campaign. We're sorry if it has caused offence as that was not our intention. As a brand with a light hearted personality, we aim to remove the complexity around wine by making it easy for people to understand. Our intention with this ad is to demonstrate that [yellow tail] avoids wine*



jargon and instead uses simple language to describe what's in the bottle. In this instance we have highlighted 'rich' and 'elegant' as they are key words our winemakers use to describe [yellow tail] Chardonnay. We now understand that when read in isolation, the combination of these three words could be interpreted differently. We have taken this feedback on board and will review the advertising creative for future campaigns.

- The same day, on 26/2/19, we decided to change the copy of the creative to avoid any misinterpretation in the future.

- The same day again, on 26/2/19, we started to enquire with our Media Agency the feasibility to pull the Chardonnay ads. We confirmed on 19/3/19 that all the Chardonnay ads for our next Out of Home burst – include all static and digital Chardonnay creatives, will be pulled and replaced with other varietals creative.

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 racist.

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

The Panel noted that this poster advertisement features various text, all of which has been crossed out except the words "Rich elegant white" and a picture of a bottle of Casella Chardonnay.

The Panel 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 Panel noted the complainants' concerns that the advertisement implies that only Caucasians can be an exceptional Aussie, and that only Caucasians can be rich or elegant.

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule."



The Panel noted the advertiser's response that the aim of the poster was to simplify the wine category for consumers by using simple language to explain the wine varietal, and that "rich and elegant" are the descriptors used by their winemakers for that particular product.

The Panel accepted the advertiser's response that rich and elegant are widely used wine descriptors. The Panel noted that the execution of the poster could be interpreted as referring to Caucasians, however considered that most members of the community would understand the advertisement to be in reference to wine, given the crossed-out words, picture of a wine bottle and the brand name displayed.

The Panel considered that the large words were a reference to the wine and the crossed out words were to demonstrate that not a lot of fancy words are needed to describe this wine, just three, and that this is the clear message of the advertisement.

The Panel noted the advertiser's response that use of this particular poster will be discontinued in further campaigns. The Panel noted that the advertiser provided three other posters which made up the entire campaign. The Panel noted that it can only consider the content of the advertisement under complaint, however noted that references in the poster were less suggestive when viewed in combination with the rest of the series.

The Panel considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race and determined that the advertisement did not breach Section 2.1 of the Code

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

INDEPENDENT REVIEWER'S RECOMMENDATION

THE DETERMINATION ON REVIEW



ADVERTISER'S RESPONSE TO IR DETERMINATION