



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0095/14</b>
<b>2</b>	<b>Advertiser</b>	<b>Aldi Australia</b>
<b>3</b>	<b>Product</b>	<b>Retail</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>09/04/2014</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.1 - Discrimination or Vilification Religion

## DESCRIPTION OF THE ADVERTISEMENT

The advertisement shows a packed theatre and onto the stage walks a motivational speaker, Jimmy Masters. The crowd cheers and Jimmy talks of how he's going to unleash their winning potential via the power of cheese. Jimmy reveals a pyramid of cheese. His assistants then walk around the auditorium with trays of cheese for the audience to eat. Jimmy pumps his fists enthusiastically to get the crowd excited and up from their chairs.

## THE COMPLAINT

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

*To me it was offensive as it was not too subtle, I think, in being a mockery to JESUS CHRIST. It is very offensive to me and my fellow Christians and I am ashamed that Aldi will allow this commercial to air on free TV.*

## THE ADVERTISER'S RESPONSE

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

*Firstly, thank you for bringing this complaint to our attention. As one of the world's leading retailers, we have a very broad customer and employee base, and would never seek to vilify*

*anyone on the basis of personal beliefs. However, in this instance, the complainant has unreasonably misinterpreted our advertisement.*

*The main character depicted in the advertisement, Jimmy Masters, is a motivational speaker, not a religious minister. It is for this reason that the posters surrounding him on stage say, “unleashing the winner within”. Furthermore, throughout the advertisement, Jimmy says, “You’re here today because you’re winners. And I’m going to UNLEASH your winning potential!” and subsequently, “And you know what happens when you eat a winner? You BECOME a winner!” This dialogue is consistent with the well-known refrain of a motivational speaker, not that of a religious minister.*

*In addition, supporting our assertion that Jimmy Masters is not a religious minister, please note the following:*

- At no stage is any religious terminology used in the advertisement*
- No religious iconography, such as crucifixes, appear in the advertisement*
- Jimmy Masters is not wearing attire, such as a clerical collar, that would be associated with a religious organization*

*The vague similarity of the words ‘Jesus’ and ‘cheese’ is purely coincidental and not as a result of Jimmy Masters being a religious minister. To support this, Jimmy Masters ends his motivational talk with “Everyone in this room is going to be Prime Minister”, which would make no sense if he was conducting a religious service. However, it does make sense if he is conducting a motivational talk which is promising success and “unleashing winning potential”, as per the advertisement.*

*In conclusion, as Jimmy Masters is clearly a motivational speaker and not a religious minister, we have not violated any of section 2 of the AANA Code of Ethics.*

## **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 to Christians as it mocks a Christian Church Service.

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 the advertisement features a motivational speaker promoting Aldi’s cheese.

The Board noted the complainants’ concerns that the motivational speaker is portrayed in the manner of a Church Minister.

The Board noted that the motivational speaker tells his audience that they are winners and that he is going to unleash their winning potential “with the power of cheese”. The Board noted that there are no references to religion in the advertisement and considered that most members of the community would relate the style of presentation as being a motivational speaker rather than a Church Minister or Evangelical.

The Board noted that the motivational speaker makes lots of references to the advertised product, cheese, and considered that overall the advertisement does not make reference to, or mock, any religion or religious ceremony.

The Board considered that the advertisement was not mocking religion and did not portray or depict material in a way which discriminates against or vilifies a person or section of community on account of religion.

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 complaints.