



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0097/13</b>
<b>2</b>	<b>Advertiser</b>	<b>Haggle Co</b>
<b>3</b>	<b>Product</b>	<b>Professional Service</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>10/04/2013</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.1 - Discrimination or Vilification Gender

### DESCRIPTION OF THE ADVERTISEMENT

The advertisement is for a sale entitled 'My Big Fat Sale'. The presenter is dressed in a padded suit and says he's been told he has "put on a bit of weight over xmas" so he is "cutting the fat out of all his prices". We see the presenter showing the products which are going to be on sale.

### THE COMPLAINT

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

*Ridiculous, degrading and offensive. Please remove ad.*

### THE ADVERTISER'S RESPONSE

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

*We believe the advertisement is in way no offensive. The presenter is in a padded suit but in no way does he ever degrade or vilify anyone. The advertisement is using humour but only at the expense of the presenter and no one else. The advertisement is not currently running and was last aired 28/2/13.*

## **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 degrading and offensive.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: “Advertising or Marketing Communications 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 Board noted that the advertisement features a man wearing a padded suit, sporting clothes and sweat bands. He is moving through the furniture store talking about the ‘big fat sale’ and the dropping of weight and prices.

The Board noted that the mannerisms displayed by the man talking and rushing around the store are designed to make him appear humorous and entertaining. The Board noted that the presentation of the man in the padded suit was to make a connection with the large, reduced prices being offered as part of the sale and not as a reference to a person needing to lose weight.

The Board considered that the actions of the man were intended to portray the fact that the store was offering significantly reduced prices on its furniture and indicative of the size of the sale, ie big and fat.

The Board noted that the man is seen dancing and cartwheeling in a padded suite near furniture and that these actions would be recognized by reasonable members of the community as an unusual or “crazy” way of acting rather than the actions being suggestive of a particular type of man.

The Board considered that this depiction does not amount to a depiction which discriminates against men who are, larger or unattractive.

Based on the above the Board determined that, in this instance, that the advertisement did not depict any material that discriminated against or vilified any person or section of society. The Board determined that the advertisement did not breach Section 2.1 of the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.

