



## Case Report

1	Case Number	0097/16
2	Advertiser	Zerella Fresh
3	Product	Food and Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	23/03/2016
6	DETERMINATION	Dismissed

### ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.3 - Violence Violence

### DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a woman in a kitchen standing at the bench. A man enters the kitchen, notices the bag of potatoes on the bench and says, "Not spuds again?!" The woman responds by telling him that these potatoes are Spud Lite and have 25% less carbs than other potatoes. The man replies that he doesn't need to lose weight and the woman taps his tummy and says, "wouldn't hurt!"

A voiceover then describes Spud Lites as the ideal all-round potato which can be roasted, steamed, fried, boiled and mashed.

We then see the male actor give the female actor a friendly hug and whilst smiling at the camera, says "Looks like this little chippie is about to get a serve".

### THE COMPLAINT

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

*Sexist, stereotypes, offensive. Connotation of the final statement by the male. "This chippy is gonna get a serve" is particularly offensive and presents gender inequality. The ad denigrates women and appears to encourage violence. At the end, the man says to the woman "looks like this little chippie is getting a serve", or something very closer to this -*

*playing on the words serve (serve food and also to verbally or physically abuse someone) and also "chippie" which had been used over time in the same sense as wench to put women down.*

## **THE ADVERTISER'S RESPONSE**

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

*We strongly believe that the complaint received is false, isolated, potentially mischievous and not representative of the community. Our reasons for this strong position are:*

- 1. The said commercial was reviewed without objection in its entirety by Free TV Commercials Advise (CAD) prior to airing. Reference number 1111440*
- 2. The said commercial has two actors. They are obviously a very happy couple with no indication of intimidation or abuse. In fact, there are displays of jovial affection being reciprocated by both parties*
- 3. The context or story line of the said commercial is:*
  - a. The female actor highlights the low carb health benefit of the product.*
  - b. The female actor indicates that it would not hurt for the male actor to lose a little weight.*
  - c. The male actor gives the female actor a friendly hug and whilst smiling at the camera, says "Looks like this little chippie is about to get a serve". This is the comment that is the core of the single complaint.*

*The audience would see that the male actor is dressed as a carpenter. In fact, a significant percentage of the audience would recognise the male actor as "Leighton the Carpenter" from multiple reality renovation television series.*

*The male actor by making the comment that is in question is:*

- a. Referring to himself as the "chippie". The use of the term chippie as slang for a carpenter is the number 1 interpretation. Being dressed as a carpenter, there can be no reasonable doubt that this was the intention of the comment*
- b. Suggesting that he is about to get a serve of SpudLite, which is the advertised product.*

*In summary, given that:*

- a. the actors are publically known to be a happy couple, focused on house renovations*
- b. the male actor is both dressed as and publically known to be a carpenter*
- c. the focus of the commercial is on a food, Spudlite*

d. *there is no indication of violence or intimidation,*

*the interpretation of the complainant is both unique and founded without reasonable basis.*

## **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 complainants’ concerns that the advertisement plays on the words ‘serve’ and ‘chippie’ with sexual and violent connotations which make it inappropriate for children and is degrading for women.

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

The Board noted that the man is dressed as a carpenter and is watching as the female is preparing potatoes.

The Board noted that the characters in the advertisement are actually a couple who were participants on the television show, House Rules.

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 the couple in the advertisement appear to be happy and sharing a joke. The Board considered there is no indication of intimidation or denigration, rather there are displays of jovial affection being reciprocated by both parties. The Board considered that overall the tone of the advertisement is a playful one and displays the type of banter commonly heard between couples in safe and loving relationships.

The Board noted the complainants’ concern that the use of the word ‘chippie’ is denigrating toward women. The Board considered that most members of the community would see ‘chippie’ as a colloquial term for carpenter and not demeaning and this is reinforced as the man is dressed as a carpenter.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

The Board considered whether the advertisement was in breach of Section 2.3 of the Code.

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

The Board considered the use of the phrase made by the man that he is 'about to get a serve'. The Board considered that the inference in the advertisement is that he is about to get a serve of SpudLite, which is the advertised product.

The Board considered that this was a light hearted play on words and that there was no violence or denigration inferred. The Board considered that most members of the community would find the advertisement humorous and would not consider the word 'serve' to suggest violence or degrading behaviour toward women, in the context of this advertisement.

The Board noted that the issue of domestic violence is very serious and should not be made light of however the Board considered that in this instance the scene represents a light hearted and realistic domestic scenario between a couple, not an inferred act of violence or denigration.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.