



Case Report

1	Case Number	0110/16
2	Advertiser	Fiesta Canvas
3	Product	Retail
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	09/03/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Nationality

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a Clint Eastwood type character wearing a large hat. We see him walking from scene to scene depicting the type of work Fiesta Canvas carries out. These scenes include a character needing a new swag, a motor vehicle with a ripped interior and a ripped lounge chair repair. Spaghetti-Western style music is playing in the background and the female voiceover speaks with an accent. Text scrolls across the screen providing contact information for the advertiser.

THE COMPLAINT

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

My complaint is of a racist nature in that the advertisement concerned deals with stereotype Mexicans in large sombreros, with so called Mexican accents and addressing each other as Gringo. The advertisement ends with a cry of Aaaaahhhh! No doubt voiced by merry modern Mexicans. (I have my tongue firmly in my cheek here)

I am embarrassed to call myself Australian when watching such an ad that is racist and old fashioned. I hope you can remedy the situation before it does too much damage.

THE ADVERTISER'S RESPONSE

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

This TV ad was produced and directed by myself in 1994 at an abandoned gold mining town on the WA Goldfields, GWN provided a camera man only, it was meant to be a light hearted, witty, tongue in cheek play on spaghetti westerns of which I am a fan, and grew up with, as well as a Clint Eastwood fan. I have never received a single complaint to date.

This ad was recently voted runner up best regional TV ad on the ABC Gruen Report. It was certainly never intended to discriminate or vilify any one person or race, and Clint Eastwood has not threatened to Make My Day. I am truly baffled at this complaint, and pride myself as not been racial in any way as I grew up in a mixed multi racial family.

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 portrays Mexicans in a stereotypical and racist manner.

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 this television advertisement features a Clint Eastwood style character accompanied by Spaghetti Western style music.

The Board noted the voiceover of the advertisement is heavily accented and some of the people in the advertisement are wearing large hats but considered that the theme is more consistent with Spaghetti Westerns than with Mexican people.

The Board noted that all of the people helped by the Clint Eastwood character are of South American appearance and noted the complainant’s concerns that it is a negative depiction by showing people of an ethnicity needing help from a Caucasian man. The Board’s view however is that the people in the advertisement are not suggestive of any particular ethnicity but rather they are reminiscent of Spaghetti Western characters and their portrayal in the advertisement is humorous and not negative.

The Board noted the advertiser’s name is Fiesta and considered that in the context of the advertiser’s name and the overall theme of the advertisement the content is not inappropriate.

The Board 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 their nationality.

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 complaint.