



Case Report

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| 1 | Case Number | 0121/16 |
| 2 | Advertiser | Baiada Poultry Pty Ltd |
| 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

Food and Beverage Code 2.1 (a) - Misleading / deceptive

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features Julie, a Steggles' farmer, confirming that there are no cages used in Steggles' sheds. We see the inside of a shed with lots of chickens walking around and the voiceover says, "If you work for Steggles you've just got to be a Steggler for quality".

THE COMPLAINT

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

It is an inaccurate representation of how chicken products from Steggles are raised, and the resultant quality of the product which is, in reality, raised in much worse condition resulting in an inferior chicken product. The ad therefore misleads the public into thinking they are eating a quality product akin to chickens raised in the conditions represented in the ad.

THE ADVERTISER'S RESPONSE

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

This commercial was filmed in a Baiada broiler farm shed in the Griffith region, between 2.15pm and 6.15pm on Thursday 11 February 2010, and is typical of what would be

observed in the shed during daylight hours. As a result, contrary to the complaint made, the commercial accurately represents how chicken products from Steggles are raised. The complaint accordingly has no merit.

Details of programs in which the advertisement appeared

The Steggles brand TV activity is made up of programming across Networks 9 & 10 as well as the free to air digital channels (GEM, GO!, ONE and Eleven). Our targeted audience for this campaign was people aged 25-54 years, across the 5 major State capital cities and Griffith. No programs are specifically targeted towards children and the bulk of our activity runs in peak time (6pm – 10pm). The advertisement was first commenced to be shown in June-July 2010 and was again shown in the period May-September 2011. More recently in January and February 2016 the advertisement has appeared in the programs and at the times as set out in the attached spreadsheet.

Substantiation of claims

No relevant claims are made in the advertisement

Section 2 of the AANA Code of Ethics

None of these issues are applicable to the advertisement.

Thank you for the opportunity to respond.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code).

The Board noted the complainant’s concerns that the advertisement depicts an inaccurate representation of how Steggles’ chickens are raised.

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

The Board noted that the product advertised is food and that therefore the provisions of the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code) apply. In particular the Board considered section 2.1 of the Food Code which provides:

'Advertising or marketing communications for food ...shall be truthful and honest, shall not be or be designed to be misleading or deceptive or otherwise contravene prevailing community standards, and shall be communicated in a manner appropriate to the level of understanding of the target audience of the Advertising or Marketing Communication with an accurate presentation of all information including any references to nutritional values or

health benefits.'

The Board noted that the advertisement features a voiceover talking about Julie, a farmer who breeds chickens for Steggles. Julie is shown going about her duties on the farm and talking to the camera to say there are no cages in her sheds.

The Board noted it had previously dismissed a similar complaint for the same advertiser in case 0265/12 where:

“The Board considered that the advertisement features images of a worker at a Steggles poultry farm. The Board noted that the advertisement does not make any claims about the conditions in which the chickens are housed. The Board noted the advertiser’s response indicating that the advertisement was filmed within a breeder farm shed and the lighting and other conditions portrayed in the advertisement are typical of conditions that would be observed during daylight hours. The Board noted that the advertisement contained no reference to chickens being held in cages.

The Board considered that the advertisement was truthful and honest in its depiction of the breeder farm environment and did not contain statements that were misleading or deceptive.”

In the current advertisement the Board noted that we do see the inside of a shed and considered that whilst there are a lot of chickens there are no cages visible. The Board noted that the only claim made in the advertisement about the way in which the chickens are raised is that Julie, the Steggles’ farmer featured in the advertisement, states that no cages are used in the sheds and the Board considered that the visuals appear to back up this claim as no cages are visible.

The Board noted the complainant’s concern that chickens are normally raised in worse conditions than those depicted in the advertisement. The Board noted that the advertisement makes no reference to the way in which the chickens are reared, for example free range or barn laid, and considered that consistent with its previous determination in case 0265/12 the advertisement does not make any claims about how the chickens are bred other than that no cages are used in the sheds and overall there is no suggestion that the chickens depicted in the advertisement are being presented in any manner different to the conditions they would normally be kept in.

The Board noted the advertiser’s response that the advertisement was filmed in one of their broiler farm sheds during daylight hours and the conditions portrayed in the advertisement are a representation of how chicken products from Steggles are raised.

Based on the above the Board considered that the advertisement was not misleading and did not breach Section 2.1 of the Food Code.

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