



## Case Report

1	Case Number	0146/13
2	Advertiser	Misschu
3	Product	Food / Beverages
4	Type of Advertisement / media	Internet
5	Date of Determination	22/05/2013
6	DETERMINATION	Dismissed

### ISSUES RAISED

2.1 - Discrimination or Vilification Race

### DESCRIPTION OF THE ADVERTISEMENT

The 'You Ling we Bling' tagline is part of the advertising that sits on our delivery automobiles. There is a graphical black and white passport photo of a smart phone showing Nahji Chu, as a 9 year old Vietnamese refugee. The MissChu brandname is at the top of the advertisement. 'You Ling we Bling' is written on either side of the graphically conveyed smartphone.

### THE COMPLAINT

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

*The use of the slogan "you ling we bling" perpetuates social stereotypes of Asians not being able to pronounce "R" sounds. My friend has raised this with them but was dismissed for not seeing the "humour" in it. Profiting from a racial stereotype and justifying it with "humour" is archaic and has no place in modern society. Misschu also think it's somehow OK for them to use the slogan because its founder is of Vietnamese descent.*

### THE ADVERTISER'S RESPONSE

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

*The advertisement is a call to arms, a humorous mechanism to remind people that MissChu take away is fast and efficient.*

*The slogan 'You Ring, we Bring' has been spelt phonetically to represent the common difficulty that Chinese and Japanese have with pronouncing the R sound in Latin based languages.*

*The advertisement clearly shows in image form and in the title of the company (Miss Chu clearly being an Asian woman) that it is a Vietnamese food brand. There is no minstrel show appropriation and mocking of a culture by an outsider. This is a Vietnamese woman enjoying her history (conveyed through the passport photo image of Nahji Chu at the age of her family's arrival as refugees) and taking ownership of conventional stereotypes.*

*The advertisement imagery, text and factual information (such as the company name and URL) lead people to a company context that is entirely consistent with this branding and messaging. There is nothing misleading or separate about the advertisement.*

## **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 and perpetuates social stereotypes of Asian people and mocks the difficulty that some people of Asian persuasion have with pronouncing the "R" sound in the English language.

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 that the advertisement features a picture of bicycles and text beneath with information about how the delivery costs are charged when ordering home delivery. Included as part of the text is the phrase “you ling we bling!”

The Board reviewed the advertisement and noted that the imagery used across the website is in keeping with a style intended to maintain a relevance and connection with the Vietnamese history and culture of the owner of the business and authenticity of the product. The Board noted that most members of the community would recognise and see the clear relevance to using bicycles for delivery and an association with a culture that commonly utilises push bikes as a valid method of transportation.

The Board noted the use of the phrase “you ling, we bling” and considered that this is a depiction which uses a stereotype of people from an Asian background. The Board recognised the significant issue that migrants can face with language and with being excluded from the community on the basis of language difficulties and accents. The Board also noted that for some cultures there is not a culture of laughing at such issues.

The Board also noted that the business proprietor is from a Vietnamese background and uses this as part of her marketing.

The majority of the Board considered that the stereotype used in this advertisement was not a negative depiction of people or a group of people. The Board considered that the stereotype was used in a manner that was clearly intended to be fun and in keeping with the brand and product and was unlikely to be seen broadly in a negative manner.

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 and that the advertisement did not breach Section 2.1 of the Code.

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

