



Ad Standards Community Panel
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Case Report

1. Case Number :	0244-19
2. Advertiser :	Valley Butchers
3. Product :	Food/Bev Groceries
4. Type of Advertisement/Media :	Poster
5. Date of Determination	7-Aug-2019
6. DETERMINATION :	Upheld - Modified or Discontinued

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This window sticker features the business name and the words "NON HALAL CERTIFIED" with a picture of an emu and kangaroos.

THE COMPLAINT

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

The branding on the window, in very big obvious signage, labels the butcher as "non halal certified". It pokes fun of a specific group of people based on religious belief. I have a photo of the signage but have nowhere to attach it on this form. It is very intentional and obvious. "Jokes" like this on a public shopfront perpetuate a culture of vilification towards religious minorities, that results in harm towards them.

THE ADVERTISER'S RESPONSE

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

To whom it may concern.



The sign is only stating that we are not halal approved. In no way is it meant in a malice way. We were getting asked quite frequently whether we are halal approved so I am just stating that we are not and that saves a lot of wasted time. Thank you for your time and I look forward to hearing your reply.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement pokes fun at a specific group of people based on religious belief, and that jokes like this perpetuate a culture of vilification towards religious minorities.

The Panel viewed the advertisement and noted the advertiser's response.

The Panel noted that the advertisement was a sticker in the window of the business, which included the business name and logo and the words "Your one butcher", under which was a picture of an emu and kangaroos and the words 'non halal certified' and the words "premium meats and smallgoods".

The Panel 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 Panel noted the Practice Note to Section 2.1 provides the following definitions:

Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.

Race – viewed broadly this term includes colour, descent or ancestry, ethnicity, nationality, and includes, for example, ideas of ethnicity covering people of Jewish or Muslim origin

Religious views - a person's belief or non-belief in a faith or system of worship

The Panel noted that in order to find a breach of Section 2.1 it would need to determine that the advertisement depicted material in a manner that was unfair or less favourable or humiliating or inciting ridicule of a person or section of the community, because of, race or religion.

The Panel considered that the phrase 'halal' was Arabic for permitted (<http://arabiconline.eu/>) and is a term used to describe food that is prepared in a way that adheres to Islamic law. The Panel noted that red meat and red meat products can be certified as being Halal



([https://www.aph.gov.au/About Parliament/Parliamentary Departments/Parliamentary Library/pubs/rp/rp1617/Quick Guides/HalalCert](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1617/Quick_Guides/HalalCert)).

The Panel noted that there is no such thing as a certification that a food is 'non halal'.

The Panel noted the advertiser's response that the sign was stating that they were not Halal approved, that there was no malice intended and it was provided in response to being asked frequently if they were Halal approved.

A minority of the Panel considered that the phrase 'non halal certified' was a statement that the meat products sold by the butcher are not Halal certified and the phrase was highlighting a point of difference from other butchers in the area. A minority of the Panel considered that the phrase was not discriminating against or vilifying a section of the population, rather it was a statement designed to inform the public that the butcher shop does not stock Halal meat.

The majority of the Panel considered that there has been increased media coverage over recent years about negative public sentiment to Halal certification (<https://www.news.com.au/finance/business/manufacturing/it-is-basically-extortion-cory-bernardi-renews-calls-to-end-halal-certification-scam/news-story/637d6de29790c134874ef4ef63bbdceb>, <https://www.news.com.au/lifestyle/food/parliamentary-inquiry-finds-no-link-between-halal-certification-and-terrorism-and-food-prices-increases/news-story/e616c74cc219628776eb70df9cb713cf>, <https://www.abc.net.au/news/2017-04-12/union-slams-hanson-call-for-easter-egg-boycott/8439504>).

The majority of the Panel considered that as there was no such thing as a certification of meat products as 'non Halal', the phrase used on the window amounted to a statement that was ridiculing of halal certification and that this was offensive and demeaning to people who are of that faith or are of Muslim ethnicity.

The majority of the Panel also considered that using the phrase 'non Halal certified' in conjunction with imagery of Australian animals was a suggestion that Islamic dietary practices are not Australian. The majority of the Panel also considered that this advertising would give a strong impression that people of a certain religion or ethnicity might not be welcome in the store.

The majority of the Panel considered that the sign's wording and images amounted to a depiction that was inciting hatred or contempt of a group of people based on their religious practices or Muslim origin. The Panel noted the advertiser's response that this was not the intention of the signage. The Panel noted that had the sign stated 'Not Halal approved' or 'Unfortunately, non Halal' this would be less likely to have been considered discriminatory or vilifying signage.

The Panel determined that the advertisement breached Section 2.1 of the Code.



Finding that the advertisement did breach Section 2.1 of the Code the Panel upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertiser did not provide a response to the upheld determination, however Ad Standards understands from media reports that the signage has been modified from 'NON HALAL CERTIFIED' to 'NOT HALAL CERTIFIED'.