



Case Report

1	Case Number	0265/15
2	Advertiser	Mitchell's Quality Foods
3	Product	Slimming
4	Type of Advertisement / media	TV - Pay
5	Date of Determination	08/07/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Physical Characteristics
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a woman talking about why she uses Lite n' Easy while going about her day to day activities. She comments that, "If you're healthy and happy you're a much better mother and worker".

THE COMPLAINT

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

Since when does weight have anything to do with how you are as a person in regards to being a better person, be it mother, father, brother, uncle or anything else.

THE ADVERTISER'S RESPONSE

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

Lite n' Easy home delivers pre-prepared, nutritionally balanced meals to people who want to lose or maintain their weight as well as those who are simply looking for a healthy, convenient solution to eating well.

The TV commercial in question features Jo Abi, a Lite n' Easy testimonial talking about, in

her own words, her real life experiences using the Lite n' Easy product.

The complainant has incorrectly quoted Jo's own words in the complaint i.e. – "being thinner and healthier makes you a better mother". What Jo actually says is – "If you're healthy and happy, you're a much better mother, a better worker... you're better at everything".

Jo does not imply that being thinner makes you a better mother.

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 concern that the advertisement states that being thinner will make you a better mother.

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 this television advertisement features a testimonial from a 'Lite n' Easy' customer who explains her weight-loss journey and states, "If you're healthy and happy you're a much better mother and worker".

The Board noted that advertisers are free to use whomever they wish in an advertisement and considered that the use of a female actor is not of itself discriminatory.

The Board noted the complainant's concern that the advertisement links weight to being a better mother. The Board noted the actual words spoken make the link between being happy and healthy and being a better mother and considered that the suggestion that a person who is happier and healthier will be a better mother and worker is not discriminatory or vilifying.

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 gender.

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

The Board then considered Section 2.6 of the Code. Section 2.6 of the Code states:

"Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted the complainant's concern that the advertisement suggests thinner mothers are better but considered that the advertisement makes a link between health and happiness and being a better mother and does not suggest that your weight is linked to your parenting skills.

The Board noted that the advertised product is a weight-loss program but considered that the focus of this advertisement does not promote excessive weight loss or being underweight.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

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

dismissed the complaint.