



Case Report

1	Case Number	0299/14
2	Advertiser	Murray Goulburn
3	Product	Food and Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	27/08/2014
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

2.1 - Discrimination or Vilification Race

DESCRIPTION OF THE ADVERTISEMENT

The Board noted the advertisement focuses on an Asian man in a suit attempting to herd cows into a milking shed. The man is chasing and clapping and yelling at the cattle. The voice over states that “some businesses have no business making your milk.” The text in the final shot shows a bottle of Devondale milk and reads “proudly owned by Aussie Farmers.”

THE COMPLAINT

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

The caption of some businesses not needing to be involved in producing Australian milk was represented by a Japanese man in a suit. I classify this as a racist ad. I'm disgusted. It needs to be taken off.

I believe this advertisement is very racist and demeaning to Asians. The advert dialogue and theatrics infer that Asian people can't manage animals; therefore viewers should buy from Devondale as 'they' are 'Aussies'. Pathetic.

The campaign theme is that these types of person should not be involved in your milk supply. The implication I think the ads are trying to get you to draw is that Murray Goulburn is better suited because it only employs male Australian farmers.

THE ADVERTISER'S RESPONSE

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

The concerns raised by the complainant relate to Section 2 of the AANA Advertiser Code of Ethics.

Section 2

2.1 Advertising or Marketing Communications shall not portray people 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.

With reference to complaints included in ASB reference

0298/14 2.1 Discrimination or Vilification Gender

0299/14: 2.1 Discrimination or Vilification Race

Devondale is a co-op of over 2,500 Australian farmers, which means profits are distributed to the farmers who produce the milk. To highlight the fact that Devondale milk is owned and produced by farmers, the campaign dramatizes the opposite scenario - corporate executives attempting to run a dairy farm. The juxtaposition of people in suits working on a dairy farm is a creative hook intending to grab the attention of our audience and entertain them.

The casting brief called for a group of people who could believably depict corporate executives. We wanted to represent a range of ages, genders and appearances, to reflect the diversity of contemporary corporate Australia. Each character in the ads is equally incompetent at his or her farming tasks - clearly these people's experience lies in an office environment, not on a farm.

This TV campaign is made up of six ad durations (1 x 60", 1 x 30", 4 x 15") all of which are edited from the 60" film, to suit the media placements selected by Carat. Carat developed a plan focused on scale and impact, to try and interrupt the habitual milk purchase cycle. The TVCs were launched in Sydney and Melbourne with 60" & 30" durations to start with and then the frequency of the campaign was extended with the use of 15" spots. Based on planned reach at the beginning of the campaign, at least 92% of people who saw one of the 15" ads also saw a 30" ad at least once. Therefore an overwhelming majority of people has been exposed to more than one of the TV executions and in turn, several of the characters in the story.

We take very seriously the issues raised in the complaints regarding discrimination and/or vilification based on race or gender. In response:

- 1. The storyline lightheartedly portrays corporate executives as being less qualified to run a dairy farm and produce milk than dairy farmers.*
- 2. We have consciously included both genders and diversity of appearance within the cast. We feel that the range of ages, genders and appearances is indicative of a typical Australian corporate environment.*
- 3. All of the characters depicted in the campaign are equally incompetent at undertaking tasks around the dairy farm. Nowhere in the storyline, script or sentiment does the ad suggest that a particular race or gender is less capable of undertaking the tasks than other characters in the ad.*

Therefore, we conclude that the ads do not discriminate against or vilify a particular gender or race.

Both the creative advertising agency DDB and the advertiser Devondale are strong supporters of self-regulation and the AANA Codes of Ethics.

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 complainants’ concerns that the advertisement is racist and offensive in its depiction of an Asian man trying to farm dairy cows in a business suit.

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 the 15 second advertisement focuses on an Asian man in a suit attempting to herd cows into a milking shed. The man is chasing and clapping and yelling at the cattle. The voice over states that “some businesses have no business making your milk.” The text in the final shot shows a bottle of Devondale milk and reads “proudly owned by Aussie Farmers.” The Board noted the complainant’s concerns that the depiction of an Asian man in connection with the text and voice over was suggestive that Asian people are not Australian and that they are not capable of being farmers.

The Board noted that as part of the campaign there is a 60 second advertisement that depicts a range of characters from diverse groups including men and women and people of different ages and appearances.

The Board noted that in the full version of the advertisement each of the characters are seen performing tasks with the same level of incompetence. All of the characters are dressed in business suits and the voiceover remains the same.

The Board noted that this particular advertisement focuses just on the Asian man herding cattle. The Board noted that the advertisement is intended to show corporate executives in a comedic light, struggling with the farming task at hand (herding cattle). A minority of the Board considered that the main theme of the advertisement was clearly showing a “city versus country” battle drawing on the old adage that city people cannot perform tasks such as farming as well as people from the country.

The minority noted that there is a Caucasian man who is in the shed, and that the term “Aussie Farmer” is a marketing slogan focusing on Australian made, rather than being anti foreign involvement.

The majority of the Board however, considered that the advertisement delivers a negative suggestion that people of Asian background are not capable of, or should not be involved in farming and that the portrayal of the man in this way is demeaning.

The Board considered that the focus on an Asian man does connote an anti-Asian sentiment and anti-foreign ownership when accompanied by a voice over saying “some businesses have no business making your milk...proudly owned by Aussie Farmers” and depicting the man as being out of place (in a business suit).

The Board considered that the longer version of the advertisement showed a diverse group of people in a humorous manner but in contrast the short version did not capture humour in the same way and was vilifying of the man and Asian business.

The Board agreed that the use of this particular character from the full length advertisement to make into one of the shorter versions amounted to a depiction which discriminates against

a section of the community based on race and that it did breach Section 2.1 of the Code. Finding that the advertisement did breach the Code, the Board upheld the complaints.

THE ADVERTISER'S RESPONSE TO DETERMINATION

We have received and read your notification regarding the upheld complaints (ref: 0299/14) for the 15" Devondale Chilled Milk execution in question. This ad is no longer on air as its rotation in the media schedule is complete. There are no plans to run this 15" execution in the future. We note the board's concerns outlined in the determination regarding this particular execution and acknowledge that these concerns do not apply to the campaign as a whole.