



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0303/14
2	Advertiser	Apple
3	Product	Mobile Phone or SMS
4	Type of Advertisement / media	Free TV
5	Date of Determination	13/08/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Physical Characteristics

DESCRIPTION OF THE ADVERTISEMENT

Montage of images showing different people using their i-phone to assist with their exercises: running, push-ups, swimming etc. The backing song used is called 'Go, you chicken fat, go'.

THE COMPLAINT

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

The words in the song repeated. "Go chicken fat go".

I am dumb founded about the wording used and find it unnecessary, derogatory and rude to overweight people or those who do not exercise.

I can only think that this is a negative, bullying approach and wording and I hope this term does not catch on!

I am shocked this this is considered acceptable.

I have never before complained about an Advertisement but am offended by this one.

THE ADVERTISER'S RESPONSE

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

TELSTRA RESPONSE

Telstra wishes to advise that the TV commercial in question was scripted and produced by Apple in order to promote the iPhone.

Under Apple's commercial agreements with mobile network operators, the logos of network operators, including Telstra, are featured on rotation on such TV commercials to demonstrate availability of the iPhone on each network.

Apple retains sole rights to these TV commercials and as such we have sought Apple's perspective on the messages communicated in this advertisement. Apple's response is included for the ASB to consider.

APPLE RESPONSE

I refer to your letters regarding the complaint reference 0284/14 and 0303/14.

The advertisement referred to in the complaint is known as "Strength" and was created by Apple. It is part of several advertisements for iPhone 5s as part of the "Powerful" campaign which can be viewed at www.apple.com/iphone-5s/powerful/

The message behind the 'Strength' advertisement is positive and inspirational. It conveys that no matter who you are - an athlete or just a busy person trying to take better care of yourself - the iPhone 5s can make you stronger, healthier, and literally more powerful. It celebrates the power iPhone 5s gives everyone to become a better version of themselves.

Accordingly Apple is at a loss to understand and denies the allegation that the "Strength" advertisement "demonizes overweight/obese people" or is discriminatory or vilifying in any way.

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 features a soundtrack with the lyrics, "go, you chicken fat, go" which is unnecessary and negative towards overweight people.

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 advertisement features various people exercising or monitoring their fitness/weight-loss progress by using apps on their i-phones.

The Board noted it had also considered this advertisement on Free TV in case 0284/14 where:

“The Board noted that the people featured in the advertisement are participating in a range of activities and considered that whilst the level of fitness may differ between each person, in the Board’s view all the people shown appear to be fit and healthy. The Board noted that the accompanying soundtrack includes the lyrics, “Go, you chicken fat, go”. The Board noted that this song was the theme tune to the youth fitness program set by President Kennedy to encourage physical activity amongst young Americans in the 1960s. The Board noted that the lyrics of the song are intended to be light-hearted and encouraging and considered that the images used in the advertisement do not feature overweight or obese people and there is no suggestion that the advertisement is suggesting that overweight or obese people should be discriminated against or vilified because of their appearance.”

Consistent with its previous determination the Board considered that the use of the song in conjunction with the images of healthy people exercising does not amount to material which discriminates against or vilifies a person based on the weight.

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

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