



Case Report

1	Case Number	0322/16
2	Advertiser	Coles
3	Product	Food and Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	10/08/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Age

DESCRIPTION OF THE ADVERTISEMENT

The complaint refers to a 30 second television advertisement highlighting Coles Bakery products as part of the Coles “Down Down” advertising campaign. Specifically, it promotes the new Everyday pricing of Coles Brand wraps and Coles Bakery chocolate mud cake (“Advertisement”). It comprises various shots of:

- the Coles “Down Down” band and a human sized loaf in the Coles Bakery;
- an elderly group of men and women enjoying cake, tea and sandwiches while happily singing the “Down Down” song;
- a loaf of bread riding a big red hand in a green field;
- two men at a construction site singing the “Down Down” song; and
- product shots of Coles Brand wraps and Coles Bakery chocolate mud cake.

The advertisement was broadcast nationally between 13 July 2016 and 27 July 2016.

THE COMPLAINT

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

I was offended by the appearance of a group of women aged over 60 in clothing that was more appropriate over 50 years ago.

It portrayed a very poor image of older women - extremely demeaning.

THE ADVERTISER'S RESPONSE

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

I refer to your letter advising Coles Supermarkets Australia Pty Ltd (Coles) of a complaint received by the Advertising Standards Bureau (ASB) in relation to a Coles bakery television advertisement. Specifically, the ASB advises of its concern that the complaint received raises issues under Section 2.1 of the AANA Advertiser Code of Ethics.

Coles takes all complaints about its business very seriously. At the outset, we would like to thank you for the opportunity to address this complaint with the ASB.

Issues arising under Section 2 of the Advertiser Code of Ethics

You have requested that our response addresses all parts of Section 2 of the AANA Code of Ethics.

Coles submits that each part of the Advertisement, and the Advertisement in its entirety, complies with each of the principles set out in subsections 2.1 to 2.6 of the AANA Code of Ethics.

Response to the complaint

Coles understands that the complainant considers the Advertisement is offensive because it features women aged over 60 wearing clothing from the 1960s. The complainant is of the view that this creates a poor image of older women which is demeaning.

Section 2.1 of the Code states that:

“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.”

Coles strongly believes that the Advertisement does not discriminate against or vilify women, or indeed any person, in breach of 2.1 for the following reasons:

- Although their clothing is not contemporary in nature and may not be to everyone's tastes, it is in no way inappropriate, demeaning or degrading when considering prevailing community standards;*
- No negative impressions or stereotypes are created or conveyed in relation to the elderly women, or indeed any person in the Advertisement, whether in relation to their clothing or otherwise (it should further be noted that both men and women are included in the elderly group and are dressed in similar style clothing);*
- No disparaging, denigrating or abusive statements are made or implied in any way against*

the elderly group at any time throughout the Advertisement;

- The participants are shown through their actions and facial expressions to be joyful and happy and are actively participating in their singalong; and*
- The overall theme of the Advertisement is one of light-hearted fun with an element of absurdity. This is in keeping with the Coles “Down Down” advertisements which are comical in nature.*

For the reasons set out above, Coles strongly believes that the Advertisement does not constitute discrimination or vilification against older women, or any other persons. It should further be noted that Coles’ actively seeks to avoid discriminating or vilifying any group of society in its advertising.

Other sections of the Code

Coles also submits that the Advertisement does not breach the Code on any other grounds as it is not exploitative or degrading, violent, sexually suggestive and does not include or depict nudity, offensive language or any other matter which may give rise to health and safety concerns.

Coles strongly believes that the advertisement in question does not breach the AANA Advertiser Code of Ethics. I trust that the information set out above addresses any concerns the Advertising Standards Bureau may have in relation to this complaint. Please note that the materials provided as attachments are subject to ownership restrictions and therefore should not be distributed or used other than by the ASB to consider this complaint.

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 portrays older women in a demeaning way.

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 is for Coles products. The Board noted that the particular scene that the complainant is concerned about shows a group of older men and women. The Board considered that the group appear frumpy and old fashioned in their dress and the advertisement had a slightly retro feel.

The Board noted the advertiser’s response that “although their clothing is not contemporary in nature and may not be to everyone’s tastes, it is in no way inappropriate, demeaning or

degrading.”

The Board noted that the participants are shown to be happy and are actively participating in their singalong activity. The Board considered the advertiser’s response that the overall theme of the advertisement is one of light-hearted fun with an element of absurdity.

A minority of the Board felt the advertiser was demonstrating mild contempt for older people and showing a stereotypical image which was negative of this cohort, showing people in old fashioned clothes engaged in a singalong.

A majority of the Board however, considered that advertisers are free to target whichever age group they wish, and can use actors of any age or gender to promote their products and in this instance they considered that the reference to mature aged people was a suggestion of nostalgia and smart customers but was not a negative depiction.

The Board acknowledged that some members of the community might find the tone of the advertisement patronising but considered that overall the advertisement does not depict material which discriminates against or vilifies a person or section of the community on account of their age.

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.