



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0339-21
2. Advertiser :	ALDI Australia
3. Product :	Food/Bev Groceries
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	8-Dec-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This television advertisement opens with downbeat music and we see a number of people in different households engaging in Christmas preparations in an unenthusiastic manner. The soundtrack then switches to upbeat dance music and the mood changes dramatically. The same individuals are seen dancing and jumping around joyously - rhythmically, and in slow motion - as they prepare for Christmas.

The voiceover states "Fire up that pudding, hang those lights, stuff that bird. Because you can't overcook Christmas. ALDI - good different".

The final scene is a family sitting down to a Christmas meal as the woman who lit the pudding floats over the table with a flaming Christmas pudding in each hand.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

The category is religious offence and blasphemy. A person levitates with hands outstretched in a crucifixion/resurrection or other saintly mode either because they have bought or have tasted a Christmas product from Aldi, or have purchased and displayed for guests a feast of Christmas proportions. There is a clear trampling upon



the sacred in this ad. My son was also similarly offended. What must these people be thinking? Aldi ought not to involve themselves in emulating poses or theologies which they do not represent. They are a supermarket chain not a place of worship. Christians throughout Australia will be offended by this. Many will remain silent. We were but now will not be, purchasing any Christmas food from Aldi because of their careless emulation of the sacred in the Christian life, in order to sell product. I cannot imagine Coles or Woolies doing this. They would not be disrespectful enough to do it, or so I would hope.

This Christmas Aldi ad promotes offensive religious content. It depicts numerous rituals guised as Christmas preparation and at the end the mother does a sacrifice stance as she elevates with fire on her hands. People unfamiliar with witchcraft & ritual sacrifice will not understand this ad. I however, find it HIGHLY OFFENSIVE. This is not an appropriate medium to depict and 'play around' with ritual sacrifice. I do not want children viewing this ad.

At the conclusion of the TVC ad, a woman appears to rise up from the family dinner table. Arms outstretched in a crucifix position. It looks as if flames are coming from her hands. It looks like a parody of Jesus on the cross. Instead of nails through flesh, the woman has fire from her hands. It looks like a very sick gag at the expense of Christian beliefs.

I do think that this image of the woman rising is in extremely poor taste to describe Christmas.

This is highly offensive to Christians.

I find it likens to the film "The Exorcist" when the main character floats above her bed, as the devil invades her body. I feel at Christmas this advert is very tasteless...

THE ADVERTISER'S RESPONSE

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

There are two complaints to which we have been asked to respond.

The first complainant alleges that the ad is blasphemous. It includes the following:

"The category is religious offence and blasphemy. A person levitates with hands outstretched in a crucifixion/resurrection or other saintly mode either because they have bought or have tasted a Christmas product from Aldi, or have purchased and displayed for guests a feast of Christmas proportions. There is a clear trampling upon the sacred in this ad. My son was also similarly offended. What must these people be thinking? Aldi ought not to involve themselves in emulating poses or theologies which they do not represent. They are a supermarket chain not a place of worship. Christians



throughout Australia will be offended by this. Many will remain silent. We were but now will not be, purchasing any Christmas food from Aldi because of their careless emulation of the sacred in the Christian life, in order to sell product. ..."

The second complaint alleges that the ad "promotes offensive religious content". It includes the following:

"[The ad] depicts numerous rituals guised as Christmas preparation and at the end the mother does a sacrifice stance as she elevates with fire on her hands. People unfamiliar with witchcraft & ritual sacrifice will not understand this ad. I however, find it HIGHLY OFFENSIVE. This is not an appropriate medium to depict and 'play around' with ritual sacrifice. I do not want children viewing this ad."

The relevant provision

The relevant provision is section 2.1 of the AANA Code of Ethics (the Code) which provides that "Advertising 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 orientation, religion, disability, mental illness or political belief". (Our emphasis)

The Code of Ethics Practice Note makes clear that "vilification", for the purposes of the Code, is defined as " humiliates, intimidates, incites hatred, contempt or ridicule". Such vilification must be on the basis of religion, which is defined as " a belief or non-belief in a faith or system of worship".

ALDI response to the complaint

ALDI submits that, applying the "prevailing community standards test", the ad complained of could not reasonably be understood in either of the ways that the complainants suggests.

As to the first complaint, there is nothing in the ad which could reasonably be taken to be referencing any "sacred" concept or image, nor "emulating [religious] poses or theologies", let alone in a way that vilifies Christians. The scene in question depicts a woman appearing to float triumphantly - to upbeat dance music - while holding Christmas puddings. It is entirely far-fetched to construe this scene as portraying a woman in "a crucifixion/resurrection or other saintly mode". That would be the case even if the holiday period was related to Easter - but the association between the floating female character and a crucifixion/resurrection just would not occur to reasonable viewers in a Christmas themed advertisement.

As to the second complaint, it is, again, far-fetched in the extreme to suggest that the Christmas preparations portrayed in the ad are "rituals guised as Christmas preparations". The ad portrays people engaging in standard Christmas preparations - ie making a pudding, stuffing a turkey, putting up Christmas lights and wrapping presents - in a joyous, up-beat way. There is nothing in the ad that could reasonably be



understood as portraying "witchcraft" or "ritual sacrifice". No reasonable viewer would understand the woman portrayed at the end of this ad as "[doing] a sacrifice stance as she elevates with fire on her hands". Further, while the complainant claims to have been offended by the ad, she does not state any basis for concluding that the content about which she complains has any connection with religion.

Compliance with the Code

For the reasons set out above, ALDI respectfully submits that applying prevailing community standards, the advertisement cannot reasonably be understood in the way suggested by the complainant, and is not in breach of section 2.1 of the Code or any other part of section 2 of the Code. We respectfully request that the complaint be dismissed.

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 complainants' concern that the advertisement:

- Is blasphemous in its depiction of a person levitating with arms outstretched in a crucifixion/resurrection pose
- Is making a joke at the expense of Christian beliefs
- Depicts a scene similar to witchcraft, ritual sacrifice, or the Devil which is offensive.

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

Section 2.1: Advertising or Marketing Communication 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.

The Panel noted the AANA Practice Note which provides guidance on the meaning of:

Discrimination - unfair or less favourable treatment

Vilification - humiliates, intimidates, incites hatred, contempt or ridicule

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

Does the advertisement portray material in a way which discriminates against or vilifies a person on account of religion?

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, in this case, their religion.

The Panel considered that although the advertisement features a woman floating with her arms outstretched, it does not refer to crucifixion nor does it identify a particular



religion. The Panel considered that overall the advertisement is not showing a religion in a negative light, or suggesting that people who follow a particular religion should be thought less of.

The Panel acknowledged that some people of the Christian faith may not like the use of the imagery in the advertisement however considered that the content of the advertisement itself does not humiliate, intimidate or incites hatred, contempt or ridicule of Christian people nor does it suggest treatment of Christian people in an unfair or less favourable manner.

Section 2.1 conclusion

Finding that the advertisement did not portray material in a way which discriminates against or vilifies a person or section of the community on account of religion, the Panel determined that the advertisement did not breach Section 2.1 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.