



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0380/17</b>
<b>2</b>	<b>Advertiser</b>	<b>Subway Franchisee Advertising Fund</b>
<b>3</b>	<b>Product</b>	<b>Food / Beverages</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>13/09/2017</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- Other Social Values
- 2.1 - Discrimination or Vilification Gender

## DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens on a man saying that he was going to go to his mum's for dinner but he got a better offer. Whilst he is talking we can see a cartoon version of his Mum on the left of the screen holding a lamb roast.

We then see a fork spearing a piece of lamb and a cartoon version of the man appears, licking his lips.

We then cut back to the real man holding a Rosemary & Garlic Lamb sub with a cartoon version of this mum appear on the left of the screen holding her lamb roast. The man says that he can get his lamb from Subway® without getting a side dish of "when are you getting married" from his Mum.

An image of a complete Rosemary & Garlic Lamb sandwich then appears on the screen containing a cartoon version of the man looking satisfied and holding a flag that says "Better than your Mum's (without the nagging)".

## THE COMPLAINT

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

*The advertisement is sexist and disrespectful to mothers*

*It is presented as an alternative to going to Sunday lunch with the young man's mother where he will be nagged about getting married. This may well be what some young men think, but it is offensive to parents and actively discourages them from what should be a family occasion. There are too many lonely old people and the visit for Sunday lunch could be the highlight of their week and they could have put a lot of effort into preparing that meal. How about suggesting the Mum gets taken out to lunch at Subway's by the young man - would be a much more sensitive approach rather than encouraging them not to go to Sunday lunch. Eating is a social occasion and putting up with the old mum once a week shouldn't be a hardship.*

*It is an ad that relies on old fashioned, derogatory, and sexist stereotypes. Specifically, the stereotype that a mother is responsible for the cooking in a household. And secondly, that she, not his father, will nag him about a personal issue.*

*I'm a mother. The advert suggests that it's ok to disrespect nagging mothers who cook a lamb meal at home, (which is hard work). Advert suggests to kids that it's appropriate to be disrespectful of the effort mothers go to when working to feed their family. This advert suggesting that Subways lamb sub product tastes better, without the buyer needing to listen to Mum's nagging.*

## **THE ADVERTISER'S RESPONSE**

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

*We refer to your letter regarding complaints received from members of the public concerning the Subway® 'Rosemary & Garlic Lamb' TVC. The concerns raised by the complainants are that:*

*The advertisement implies the "stereotype that a mother is responsible for the cooking in a household" which "offends alternative families."*

*The advertisement implies that Mum's will "nag" about a personal issue.*

*Thank you for the opportunity to comment. We have considered section 2 of the AANA Advertiser Code of Ethics (the "Code").*

*We respectfully deny the complaints pursuant to provision 2.1 (Discrimination or Vilification Gender) of the Code and assert that the advertisement is not in breach of this provision or any other provision of the Code.*

*We refer to the complainant's allegation that stereotype that a mother is responsible for the cooking in a household" which "offends alternative families."*

*The above scenario is depicted in the advertisement as a common practice of a Mum cooking a lamb roast. The practice of Mum cooking a lamb roast is a household favourite and has even been used in advertising campaigns; for example see the following commercial (<https://www.youtube.com/watch?v=vPjhKIJ0TNQ>) where the actress Naomi Watts gets a*

*call that she's won a dinner with Tom Cruise however turns it down because "Mum's doing a lamb roast." The above scenario was intended to depict a light-hearted interaction between a Mother and son. It was not SFafa's intention to depict the scenario as stereotyping Mothers of being solely responsible for cooking a family meal at home, or that families are only considered to be "traditional" if Mothers are the sole cooks in a household.*

*We refer secondly to the complainant's allegations that the advertisement attempts to indicate Mum's will "nag" about a personal issue.*

*The above scenario is depicted in the advertisement as a classic comical cliché. Similar scenes have featured in popular comic movies such as "Because I Said So". The above scenario was intended to depict a light-hearted portrayal of a mother and son relationship and typical questions Mums would ask about when the son would be settling down. We were very conscious of not making the interaction between Mother and Son appear pessimistic. It was not SFafa's intention to depict the scenario that displays Mothers in a negative way or show any disrespect towards Mothers.*

*SFAFA goes to great lengths throughout the production process to ensure that our advertisements are not misleading or contain deceptive information or perceptions for consumers. We certainly do not intentionally set out to portray stereotypes or discriminate against Mothers. SFafa also works to ensure that all claims relating to material characteristics and representations of Subway® products are verified and accurate working with our suppliers, in line with the Food and Beverage Advertising and Marketing Communications Code.*

*On the basis of the above, we respectfully submit that the complaints received should be dismissed.*

## **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 disrespectful and demeaning to mothers in its suggestion that you should avoid eating with them so as to avoid their nagging, and that it suggests that only mothers do the cooking for the family.

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 Practice Note to Section 2.1 of the Code which provides the following definitions:

“Discrimination – unfair or less favourable treatment

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule”.

The Board noted this television advertisement features a man saying he was going to go to his mum’s for dinner but he’s having a rosemary and garlic lamb sub from Subway instead as it doesn’t ask when you are getting married.

The Board noted the complainants’ concerns that the advertisement suggests that it is only mums who cook for the family which is a stereotype and offends ‘alternative families’.

The Board noted the Practice Note’s guidance on the depiction of a stereotype:

“Advertisements can suggest stereotypical aspects of an ethnic group or gender with humour provided the overall impression of the advertisement is not a negative impression of people of that ethnicity or gender... Images of men or women in traditional roles are not prohibited provided the major focus is on the product, not the role portrayed. However care should be taken if depictions suggest that such activities are ‘women’s work’ or ‘work of little value’.”

The Board noted that the focus of the advertisement is on the rosemary and garlic lamb Subway and considered that by depicting a scenario where a son decides to eat a Subway sandwich rather than go for dinner with his mum, the advertisement is only focusing on this particular man’s mother and not all mothers. The Board noted the advertisement does not say that the man’s mother always does the cooking, or that it is only mothers who would cook, and considered that the advertisement does not suggest that only women cook meals.

The Board noted the complainants’ concerns that advertisement is disrespectful and demeaning to mothers as it suggests that mothers are nagging.

The Board noted the humorous tone of the advertisement and considered that the focus is on the taste of the advertised product rather than a suggestion that mothers should be thought less of or described as naggers because they ask a lot of questions of their sons. The Board considered that the reference to a mother asking about when her son is getting married was light-hearted and not disrespectful or demeaning to mothers.

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 gender and 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 complaints.

