



Ad Standards Community Panel
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AdStandards.com.au

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Case Report

1. Case Number :	0384-20
2. Advertiser :	BCF
3. Product :	Sport and Leisure
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	20-Jan-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification
AANA Code of Ethics\2.5 Language
AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This television advertisement depicts groups of men, women and children engaged in various outdoor activities. The scenes show the Australian landscape with many associated summer activities, while showing snippets of other places around in the northern hemisphere winter, to which Australian's are unable to travel due to COVID-19 restrictions. One scene shows a man appearing to eat a bat as part of a sandwich. The characters sing a jingle that highlights the sense of joy that comes from participating in these activities in Australia.

The lyrics of the jingle are:

Darren's pretty devo that he can't go overseas.... coz where his in-laws live it's minus 17 degrees,
And Shazza's a bit upset that somebody ate a bat coz now she's at this jetty and not her uncle's London flat,
It's really not so bad, it's not a massive bummer coz nowhere in the world is better than right here in summer,
Yes no where else is better for BCFing Fun!
Hey!



THE COMPLAINT

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

There is a scene where a reference to someone eating a bat, this is both scientifically inaccurate but my complaint is it is implied racism against China, even if the depiction is not a Chinese person

In one scene it shows a man sitting on a stool eating a hamburger with a bat inside. It's clearly meant to mimic the initial cause of the Corona Virus. It's a global pandemic that has caused infections in millions of people and taken hundreds of thousands of lives. It's just not funny. Never mind the 'Too Soon' when it comes to some jokes. Covid 19 will never be funny or joked about, especially if you lost someone to it.

Offensive and insensitive to all who have and are still affected by the pandemic

BCF has an offensive scene where an actor eats a bat in relation to covid stopping people from traveling overseas. It is offensive and disrespectful

The ad infers foul language which my 6 year old child has told me this class friends have said this is what they are trying to say is the "F" word. In our old country I am reasonable sure this ad would not be acceptable due to what it is inferring. My Japanese wife also finds this offensive as do I. So many unacceptable behaviours tout the voice of it is only in fun, but this does not excuse the behaviour or in this case the content. Why not set your standards higher to address this TV Ad to align with what persons from other countries deem acceptable & not view the "F" word as appropriate word in every conversation. Thank you

Ad referenced COVID 19 as someone eating a bat - very offensive and racist.

THE ADVERTISER'S RESPONSE

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

Regarding advertising complaint reference 0384-20, BCF Australia expresses the wish to respond to the complaint raised under Section 2 of the AANA Code of Ethics for review by the Advertising Standards Board. BCF Australia has taken the liberty to interpret the complaints in order to correctly respond to the advertisement of concern.



The BCF advertisement under review depicts groups of men, women and children enjoying various outdoor activities in Australia which fall into BCF's core business of boating, camping and fishing. During the scenes it showcases the Australian landscape with many associated activities, whilst showing snippets of other places around the world that are arguably in a less fortunate situation at this time. The characters sing a jingle that highlights the sense of joy that comes from participating in these activities in Australia.

The strategic position of the advertisement is intended, given the nature of the business, to highlight how lucky we are to be in Australia at this time of the year. It aims to acknowledge in a lighthearted way how devastating the past year been for not only the rest of the world but also Australia. It encourages the message to holiday in Australia while international borders remain closed and enjoy our amazing country and stay positive during the pandemic. The complaint refers to the discrimination of race.

Whilst eating a burger with a bat inside can be interpreted to reference the suspected origin of COVID-19 it is a lighthearted scenario intended to be humorous in nature and in no way references race or ethnicity.

We have received a CAD Classification of W which indicates the advertisement is suitable for broadcast at any time except during P and C programs or adjacent to P or C periods. With a clearly defined audience of people aged 25-54, at no time would our media buy target these programs.

BCF Australia regrets any offence taken by the complainants pertaining to this advertisement however BCF suggests that the advertisement is within the AANA code of ethics, community and Government standards, and that a reasonable person would not have grounds for complaint as it does not display any notion of racism and respects social values.

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' concerns that:

- The advertisement is offensive by joking about the Covid19 pandemic
- The advertisement is offensive towards China/Chinese people by depicting incorrect information
- The advertisement uses offensive language.

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

The Panel first considered concerns that making jokes about Covid19 or using the pandemic for humorous purposes was offensive and insensitive towards people who



have been affected. The Panel noted that, by itself, the issue of bad taste is not covered by the provisions of the Code, but did consider this aspect of complaints under Section 2.6 of the Code.

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
- Race - viewed broadly this term includes colour, descent or ancestry, ethnicity, nationality, and includes, for example, ideas of ethnicity covering people of Jewish or Muslim origin

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

A minority of the Panel considered that while the advertisement did not specifically refer to China or Chinese people, the implication was clear. The minority considered that the depiction of the person eating a bat in combination with the jingle suggests that someone/someplace is to blame for the situation of not being able to go overseas, and considered that most members of the community would clearly understand that the suggestion is that it is China's/a Chinese person's fault.

The minority of the Panel noted that there has been an increase in negative community opinion towards China since the beginning of the Covid19 pandemic, and considered that this advertisement reinforces casual racism directed at Chinese people by implying that they are strange and that their strange habits (eating bats) caused a global pandemic. The minority considered that the advertisement does incite contempt and ridicule towards China and Chinese people and is a breach of the Code.

The majority of the Panel considered that showing a person eating a bat as part of a sandwich is a humorous reference to what was widely believed to be the source of the Covid19 pandemic – the animal to human transfer of the disease in a wildlife market in China. The majority considered that using such a reference was light-hearted and comedic, and was not discriminatory or vilifying towards Chinese people. The majority noted that a Chinese person was not used in the advertisement, but rather a man wearing a wide brimmed hat and holding a fishing rod – intended to be stereotypically Australian.

The majority of the Panel considered that the entire advertisement was intended to be humorous, and used a jingle and exaggerated imagery to convey this theme. The majority considered that most members of the community would understand the humorous nature of the advertisement and would not consider it to be discriminatory or vilifying towards China or Chinese people.



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 gender or race, the Panel determined that the advertisement did not breach Section 2.1 of the Code.

Section 2.5: Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.

The Panel noted concerns that 'effing' is offensive language. The Panel noted it had previously dismissed complaints about a 'W' rated advertisement which used the phrase 'BCFing' in case 0024/17 where:

"The Board noted that in the current advertisement the word 'effing' is sung as part of a jingle, with lines sung including, "fishy effing fun" and "BC effing fun". The Board noted that the jingle is sung by the actors in the advertisement and considered that the tone is light rather than aggressive and there is a clear link between the brand name abbreviation and the lyrics of the jingle. The Board noted that some members of the community might not make the connection between BC effing standing for BCF – ing but considered that the manner in which the words are sung in the jingle lessens the impact of the words.

"The Board noted the advertisement had been rated 'W' by CAD which means it would likely be viewed by children and considered that, consistent with previous determinations against similar television advertisements by the same advertiser (0434/16, 0554/16), while a reference to a strong swear word is not to be encouraged, in the Board's view the fun and jovial nature of the jingle along with the link between the brand name and the jaunty lyrics amounts to an overall use of language which is not strong or obscene and is not inappropriate in the context of an advertisement that will be viewed by children."

The Panel noted that the content of the current advertisement is similar to the previously considered case and considered that consistent with its previous determinations, the use of the phrase 'BCFing' is not of itself strong or inappropriate language.

Section 2.5 conclusion

The Panel determined that the advertisement did not breach Section 2.5 of the Code.

Section 2.6: Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

The Panel noted concerns that making jokes about Covid19 or using the pandemic for humorous purposes was offensive and insensitive to people who have been affected.



The Panel noted that, by itself, this concern is not covered by the provisions of the Code. However the Panel considered that an extension of this concern is the matter of trivialising the Covid19 pandemic, suggesting that social distancing or other personal hygiene measures are unimportant.

The Panel noted that all people depicted in the advertisement were shown to social distance or follow advice regarding gatherings. The Panel considered that the jingle, while using humour to refer to the pandemic, did not suggest that viewers should ignore government advice or suggest that such advice was unimportant.

The Panel considered that most members of the community would not consider this advertisement to endorse or encourage unsafe behaviour.

Section 2.6 conclusion

The Panel considered that the advertisement did not contain material contrary to Prevailing Community Standards on health and safety and determined that it did not breach Section 2.6 of the Code.

Conclusion

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