



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0404/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Baiada Poultry Pty Ltd</b>
<b>3</b>	<b>Product</b>	<b>Food and Beverages</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Pay TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>24/10/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

Food and Beverage Code 2.1 (a) - Misleading / deceptive

### DESCRIPTION OF THE ADVERTISEMENT

The Steggles ad uses Steggles staff as advocates to dispel the myth that there are added hormones in Steggles chickens. We see various people saying "No" and then a farmer says that no hormones are used in chicken rearing by Steggles.

### THE COMPLAINT

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

*There are three reasons:*

- 1. hormones have not been used in chicken rearing in Australia since the 1960s. That is about half a century ago.*
- 2. by specifying that hormones are not used by Steggles, inevitable inferences are that hormones ARE used by other chicken producers, and that only Steggles chickens are 'safe'.*
- 3. the ad. serves to enforce and perpetuate the urban myth of the contemporary use of hormones in chicken production.*

### THE ADVERTISER'S RESPONSE

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

*Our ads were developed in response to research results from a Newspoll study in May 2010 which showed that 76% of Australians believed that chickens in Australia are given hormones. Whilst this is declining as a result of our educational campaigns, the latest results from July 2011 show that 66% of Australians still believe that chickens in Australia are given hormones.*

*In addition, we have information on our website to further dispel this industry misconception. This can be found at <http://www.steggles.com.au/quality/chickens>.*

*Whilst it is still a very widely believed myth in Australia, hormones are NOT added to chicken feed or in anyway administered to chickens. It is actually illegal to use hormones in chicken production in Australia, and has been for over 40 years.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code).

The Board noted the complainant’s concerns that the advertisement is misleading its suggestion that hormones are used in chicken rearing by other chicken producers.

The Board viewed the advertisement and noted the advertiser’s response.

The Board noted that the product advertised is food and that therefore the provisions of the AANA Food and Beverages Advertising and Marketing Communications Code (the Food Code) apply. In particular the Board considered section 2.1 of the Food Code which provides:

*'Advertising or marketing communications for food ...shall be truthful and honest, shall not be or be designed to be misleading or deceptive or otherwise contravene prevailing community standards, and shall be communicated in a manner appropriate to the level of understanding of the target audience of the Advertising or Marketing Communication with an accurate presentation of all information including any references to nutritional values or health benefits.'*

The Board considered that the advertisement features various people who appear to be workers and/or farmers saying "No" and then a male farmer says that “there are no added hormones in Steggles chickens” The Board considered that the advertisement does not make any claims about the methods used by other chicken producers, or whether or not other producers use hormones or not. The Board noted the advertiser’s response that it is illegal to use hormones in chicken production in Australia, and has been the case for over 40 years.

The Board noted that there is a general idea or notion shared by the broad community that hormones are added to chickens to make them grow faster and ultimately be bigger.

The Board considered that the Steggles chicken company are not in a position to comment about the farming processes of other chicken companies and therefore it was acceptable that the advertisement would refer only to their own practices.

The Board noted the advertisers response that there are no hormones added to chicken feed or administered to chickens in any way. The Board considered that the advertisement was truthful and honest in its depiction of the chicken farm environment and did not contain false statements or deliver a message that was not truthful.

The Board considered that the advertisement is designed to promote a particular company ie: Steggles and to gain commercial advantage over its competitors by highlighting a positive manufacturing process that they use. The Board felt that this type of promotion did not necessarily amount to behavior that was misleading or deceptive and that there was no strong suggestion about the use of hormones by other chicken producers.

Based on the above the Board considered that the advertisement did not breach Section 2.1 of the Food Code.

Finding that the advertisement did not breach the Food Code the Board dismissed the complaint.