



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0424/16</b>
<b>2</b>	<b>Advertiser</b>	<b>Unilever Australasia</b>
<b>3</b>	<b>Product</b>	<b>Food and 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>26/10/2016</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.1 - Discrimination or Vilification Race

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a woman taking a bite out of a Magnum and then being joined by a large wildcat. We then see other actors eating Magnums and being joined by wild animals. The slogan used in the advertisement is, "Release the beast".

## THE COMPLAINT

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

*There is undoubtedly racial stereotyping of the Asian in a negative way due to the direct reference to tigers. Also more broadly, I object because many advertisers think it is acceptable to have one ethnic minority represent all our diverse phenotypes (South East Asian, African, South American, Asian, Polynesian); but there is 'diverse' representation of 'white' phenotype ie different hair colouring or paler shades of white.*

*This representation is unfair, not to mention racist. And as such continues to make non-white people largely invisible on the media; although they too purchase these same products.*

## THE ADVERTISER'S RESPONSE

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

*Your letter encloses a copy of a complaint (Complaint) concerning a Magnum “Release the Beast” television commercial (TVC). The Complaint submits that the TVC raises issues under Section 2.1 (Discrimination or Vilification – Race) of the AANA Code of Ethics (Code).*

*The TVC comprises a sequence of actors consuming or holding the Magnum Double Chocolate product (Product) while walking or standing side-by-side with various animals. The TVC also features the slogans “Release the Beast – Dare to Go Double” and “#Release the Beast” as well as a visual of the Product. The TVC forms part of Magnum’s “Release the Beast” campaign, which encourages consumers to adopt a daring attitude in their ice cream selection by choosing the Product. The animals featured in the TVC are used as visual metaphors for this concept.*

*The 30 second TVC may be viewed at the following link:*

*<https://www.youtube.com/watch?v=ayCuTPt50XU&feature=youtu.be>*

#### *Response*

*Unilever disagrees that the TVC portrays people or depicts material in a way which discriminates against or vilifies a person or section of the community on any ground, including race, in a manner contrary to section 2.1 of the Code.*

*To this end, Unilever strongly disagrees with the assertions that:*

*a) the TVC features negative “racial stereotyping” of the actor of Asian appearance “due to the direct reference to tigers”. Unilever does not consider that the depiction of the actor of Asian appearance walking side-by-side with the tiger conveys any stereotype, let alone a negative stereotype based on race. It is noted that each of actors in the TVC is depicted walking or standing side-by-side with animals; and*

*b) the TVC’s depiction of ethnicity is “unfair, not to mention racist”. Unilever disagrees that the TVC, or its inclusion of the actors, is racist or insensitive to Australia’s cultural diversity. Moreover, Unilever disagrees with any suggestion that the depiction of the actors in the TVC discriminates against or vilifies a person or section of the community on any ground, including race. Unilever also submits that the TVC:*

- does not employ sexual appeal in an exploitative or degrading manner contrary to section 2.2 of the Code;*
- does not portray or present violence in a manner contrary to section 2.3 of the Code;*
- does not treat sex, sexuality or nudity in a manner contrary to section 2.4 of the Code;*
- does not contain inappropriate or explicit language contrary to section 2.5 of the Code; and*
- does not depict material contrary to prevailing community standards on health and safety contrary to section 2.6 of the Code.*

#### *4. Conclusion*

*In short, Unilever submits that the TVC complies with the Code.*

## **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 depicting the Asian woman with a tiger is racist towards those of Asian descent.

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 features a series of actors seen eating Magnum ice-creams and being joined by wild animals. In one scene an Asian woman is shown with a tiger.

The Board noted that each woman shown in the advertisement is wearing clothing similar to the skin and colouring of the animal that appears alongside them and considered that focus was on fashion and aesthetics rather than the ethnic background of any of the women.

The Board noted that tigers are often used in conjunction with references to Asian people or countries, for example Singapore, South Korea, Hong Kong and Taiwan are referred to as The Asian Tigers (<http://www.investopedia.com/terms/f/four-asian-tigers.asp>) and considered that even if you assumed a tiger had been chosen because of the model’s race, rather than her dress, in the Board’s view the manner in which she is depicted is not negative or an unfair representation.

The Board noted that advertisers are free to use whomever they wish in their advertisements and considered that in this instance the use of a tiger with an Asian woman wearing an animal print dress, alongside a blond woman in brown next to a lion, and a dark haired woman in black next to a black panther, is not of itself discriminatory toward or vilifying of women of any racial or ethnic background.

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 race.

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.

