



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0439/16</b>
<b>2</b>	<b>Advertiser</b>	<b>Sir Walter Premium Lawn Turf</b>
<b>3</b>	<b>Product</b>	<b>House Goods Services</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

- 2.3 - Violence Bullying
- 2.3 - Violence Violence
- 2.6 - Health and Safety Bullying (non violent)
- 2.6 - Health and Safety Depiction of smoking/drinking/gambling

### DESCRIPTION OF THE ADVERTISEMENT

There are three versions of this modified television advertisement. The 60 second version opens on a man, Richard, lying face down on a brand new lawn at a bustling backyard BBQ. He knowingly caresses the grass but something is not quite right.

Richard throws a handful of grass at Phil, the house owner, and complains that the grass is not "DNA certified Sir Walter". In the next scene we see grass on Phil's shoulder.

The lively party goes from high energy to dead silence except for the sound of the sizzling BBQ. In an instant, all attendees turn and stare, completely shocked at Richard's suggestion. In a matter of seconds the thirty odd people have completely disappeared from the backyard. The meat on the BBQ bursts into flames and a garden sprinkler instantly turns on. The front door slams shut, leaving Phil shocked and disappointed standing there in his empty messed up backyard, getting soaked by the sprinkler, holding nothing but a sausage sandwich.

A talking sausage advises Phil that he should have got DNA certified Sir Walter turf. We then cut to the future and Phil's backyard now looks almost post-apocalyptic. The BBQ is all rusty, the grass is dead, brown and patchy. Phil looks on to this catastrophe with sadness. Richard and the talking sausage are watching and laughing from inside the house. The sausage suggests it's time for a new lawn.

We transition from the dying lawn into a shot of a perfect Sir Walter glowing green lawn. In foreground, Phil finishes rolling out the last piece of brand new turf a He nods to himself knowingly now understanding what it means to own Sir Walter grass. Behind him a glowing DNA CERTIFIED 3D logo floats happily above the pristine backyard. Richard and the sausage are watching and laughing with approval from their deck chairs.

Logo resolve: LAWN SOLUTIONS - DNA Certified Sir Walter, ONLY at Lawn Solutions Australia.

The thirty second version of the advertisement opens on the grass being thrown toward Phil and the fifteen second version opens on people running from the yard and then the talking sausage giving advice.

## **THE COMPLAINT**

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

*The advertisement has been aired multiple times recently, the most recent being today. It is aired in peak morning television on a weekend when children are watching. There are several concerns with this ad - the ad sanctions social violence. It clearly shows 1 person who is offended by the wrong grass with a handful of grass that then proceeds to throw the grass at the home owner. The home owner is then seen with the grass on his shoulder and face, while his guests take umbrage at his choice of grass, socially isolate him and leave his function. The assumption that it is apparently satisfactory to bully someone because of their grass choice is not humorous; it is belittling and teaching children the wrong message, ie that you can bully and throw things at people if you do not like their domestic choices. Further it teaches the audience that it is OK to be mean-spirited and not accepting of differences of choices. Another concern is that when the home owner chooses the change grass types, the home owner becomes happy. Of concern at this time of morning is the direct correlation between happiness and the martini glass in the man's hand, leading to the assumption for the audience that you have to have an alcoholic beverage to be happy. The ad sanctions violence and social isolation, appears to belittle those who don't 'fit in' and gives the wrong message about what is required to be happy. If children in a playground at school behaved in the same manner, they would be put on disciplinary action. Society is trying to teach acceptance, celebrate diversity and love the inner person, yet something as arbitrary as a choice of grass is supposed to validate a person.*

*I strongly object to this ad as it is offensive and promotes bullying. This is not responsible advertising as it would have an impact upon impressionable children in that they could interpret that if adults do it then bullying must be acceptable.*

## **THE ADVERTISER'S RESPONSE**

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

*As a response to the prior complaints that were held up by the ASB, the original ad was significantly modified. These modifications included removal of the scene whereby a character was seen to push handfuls of grass into another character's mouth. The new version of this commercial has been cut so that the character is no longer throwing grass at the host, rather he is simply throwing it around to highlight, in a slapstick manner, the over-reaction he is having to the lawn not being 'DNA certified'.*

## **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 depicts and endorses bullying and aggressive behaviour, and that the advertisement shows a link between alcohol consumption and happiness.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted that there are three versions of the advertisement. The complaints received all relate to the 30 second and 60 second versions which portray grass being thrown towards a man's face. The 15 second version does not contain this scene.

The Board noted that the advertisement portrays a series of scenes that are intended, through the use of humour, to demonstrate the benefits of buying the product.

The Board noted it had upheld complaints against a previous version of the advertisement in case 0142/16 where:

"The Board noted the scene where the man has grass pushed into his mouth and face, and considered this scene a realistic depiction of an action that could be considered as a violent act. The Board noted that the overall tone of the advertisement was intended to be humorous, but considered that the scene of the grass being pushed into the man's mouth and face was confronting and not justifiable in the context of promoting a variety of lawn."

"In the Board's view the man's actions were realistic and indicative of aggressive and bullying behaviour. The Board considered that as there is no consequence to the behaviour of both pushing the grass into the other man's mouth and rubbing grass in his face, the behaviour appears to be condoned."

"The Board noted that bullying type behaviour is of strong community concern and considered that the issue is being trivialised in the advertisement."

"The Board considered that the advertisement did present violence that was not justifiable in the context of the product being advertised."

The Board noted that the current advertisement had been modified to remove the scene where the man has grass pushed into his mouth and face and that instead the man is depicted as having a handful of grass thrown at him and is then seen to have grass on his shoulder.

The Board noted that the scene of the man throwing the grass then cuts to a depiction of the other man with grass on his shoulder. The Board noted that there is no depiction of any physical contact between the men.

The Board acknowledged that the depiction of the man throwing the grass is still aggressive; however the impact is lessened by the exaggerated tone and the lack of any depiction of physical contact

The Board considered that the advertisement did not present an unacceptable level of violence and determined that the advertisement did not breach Section 2.3 of the Code.

The Board then considered Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board considered the complainants’ concerns that showing the man being socially isolated because of his choice of grass amounted to bullying.

The Board considered that the exaggerated scenes of the man throwing grass, guests fleeing the party, the dead lawn and the talking sausage were humorous and exaggerated depictions.

The Board considered that while there was still an element of bullying in the advertisement the threatening and violent tone of the previous advertisement had been removed and that the remaining scenes were humorous and unrealistic depictions.

The Board acknowledged that bullying is a very serious issue but considered in this instance the advertisement did not depict material contrary to prevailing community standards on bullying behaviour.

The Board also considered the complainant’s concern that the advertisement depicts a link between alcohol consumption and happiness.

The Board noted the end scene where a man is depicted as smiling with a martini glass in his hand, giving a thumbs-up signal to his neighbour who is admiring his new lawn. The Board considered there is no indication or suggestion that the man’s happiness is related to his consumption of alcohol, but rather it is an indication that he is happy with the neighbour’s choice of lawn.

The Board also noted that there is alcohol shown in the early scenes of the backyard barbeque. The board considered that the depiction of alcohol in the advertisement was consistent with scenes common in Australian backyards and there was no indication that alcohol contributed to any of the character’s actions or demeanour in the advertisement.

The Board considered the advertisement did not depict material contrary to prevailing community standards on the depiction of alcohol.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.