



Case Report

1	Case Number	0460/12
2	Advertiser	Animals Australia
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	12/12/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to Children
- 2.3 - Violence Cruelty to animals

DESCRIPTION OF THE ADVERTISEMENT

The 60 second version of the advertisement uses real footage of pigs, chickens and hens in factory farms with a musical background – there is no narration. It is set to the song ‘Somewhere’ from Westside Story. The animals’ mouths have been animated so it looks as if they are singing the song. The ‘hero’ pig who sprouts wings and flies away in the end was created using CGI technology.

The images in the 15 second TVCs are taken from the 60 second version.

THE COMPLAINT

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

How can it be shown when children may be watching, please give me an answer.

The advertiser is humanising animals in order to appeal to the average person to become more emotive about animal welfare - this advertising technique and also the graphic nature

of the ad is offensive to me and should not be shown during prime time television as it scares my children and more broadly confuses impressionable children as to how food is produced in Australia.

Confrontational advertising for a social cause (such as showing the graphic smoking side effects, is something I understand and endorse) but this advertising is not a factual representation of the issues involved with animal cruelty or 'factory farming' and should be banned.

THE ADVERTISER'S RESPONSE

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

I acknowledge receipt of notification of two complaints in relation to a television advertisement that Animals Australia Inc. produced and ran this year. The 'campaign' is titled 'Make it Possible' and its aim is to educate the community about the lives led by animals in factory farms.

Our goal is one most people would agree with – that animals raised for food should be provided with quality of life and protection from cruel treatment. Many people are unaware that this currently is not the case and that the vast majority of eggs, chicken and pork products on Australian supermarket shelves come from animals in factory farms.

Make it Possible is a positive and inspiring campaign which aims to empower consumers to make choices that will improve the lives of animals raised for food.

The footage used in the advertisement was taken at a number of factory farms in Australia over the past few years. It accurately reflects the routine confinement endured by mother pigs in sow stalls and farrowing crates; the confinement of laying hens in battery cages; and the conditions under which chickens are raised for meat in Australia. All of which are legal as a result of exemptions to animal cruelty laws provided by industry codes of practice.

The advertisement does not show violence to animals, rather it shows animals confined in a manner that represents standard farming practices that are legal in Australia. The images are representative of the housing that 94% of pigs, 60% of egg laying hens and 85% of meat chickens are raised in every year. For the average consumer, they are often shocked to learn that because these animals are being raised for commercial reasons, they are denied many of the legal protections afforded to our pets at home – despite the fact that they all share the capacity to suffer.

The objective of the TVC is to provide consumers with information about intensive farming practices to enable them to make informed choices when they shop. The campaign website (<http://www.makeitpossible.com/>) which the TVC directs people to, provides more information about the different farm production methods and what people can do to help provide these animals with a better life.

We are acutely aware that the issues we work to bring to public attention are confronting and often upsetting. This is the great challenge of working in the field of animal advocacy – people don't want to see animal cruelty because they care about animals but only by knowing

what is happening can they help create change. The concept of the TVC and in fact the entire campaign was developed with this in mind. We have attempted to soften the sad images of confined animals with the hopeful scenes of animals singing their own case for a kinder world to inspire and empower people to take action on behalf of these animals. The TVC invites people to suspend belief – to believe that in a world where animals can sing and pigs can fly, an end to factory farming is in fact possible. The response from members of the public, including parents whose small children have loved the ad and the little flying pig, has been overwhelmingly positive and supportive.

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 features confronting images that are alarming and not suitable for viewing by children.

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 of the Code 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 the advertisement features scenes of animals, namely pigs and chickens in animal farms in confined and unpleasant environments. Some of the animals are animated to appear to be singing. The song is “Somewhere” from the Broadway musical West Side Story. The main pig character eventually grows wings and flies out of the facility up to the moon.

The Board noted that in this instance, the visuals of the animals in poor conditions are not violent but intended to conjure emotion and a potential for change and positive action from viewers who are affected by the advertisement.

The Board noted that the advertisement was given a ‘PG’ rating by CAD.

The Board noted that in the past it has considered complaints relating to advertisements of anti-animal farming or animal abuse (such as RSPCA 204/11) which have also contained confronting and sometimes graphic imagery and that in almost all of those cases, the Board

has recognised that the message of the advertiser does require a degree of confronting material to be shown or suggested. However in the present advertisement the Board considered that there is no more than a suggestion of cruelty and violence and that this suggestion is unlikely to be understood by young children and is not inappropriately confronting for other audiences.

In the Board's view the advertisement does not present violence and the suggestion of violence is justifiable in the context of the service being advertised.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

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