



**Ad Standards** Community Panel  
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Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

1	Case Number	0469/18
2	Advertiser	Unilever Australasia
3	Product	Food and Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	24/10/2018
6	DETERMINATION	Dismissed

## ISSUES RAISED

2.1 - Discrimination or Vilification Age

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on an elderly man pottering around in his kitchen when his son arrives. As the father is attempting to make tea, he says he left his tools outside and leaves the room. The son looks down and notices one of the cups has 'World's best Mum' written on it. Then a whistling kettle is shown, suggesting the water has boiled. Next the advertisement cuts to the son walking out to the veranda holding two cups of tea. He hands one to his dad and they both take a sip. The son says that he still misses her too. They embrace and smile as they hold back tears. Then the old man looks down to his cup and notices his son replaced the previous cup with one that says 'Old Fart'. They both have a little giggle together and continue to drink their tea.

## THE COMPLAINT

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

*The advertisement is ageist. It demeans senior citizens. It ridicules them. It is reductive of their dignity. It denigrates their worth as people and citizens. It suggests that they*



*are silly and ridiculous and unattractive and not responsible or intelligent citizens. The term FART should not be paraded in public, let alone applied to senior citizens who make up a huge percentage of the population and who are unable to defend themselves against a giant international company. Unilever is abusing its power.*

## **THE ADVERTISER'S RESPONSE**

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

*Re: Complaint reference 0469/18  
BUSHELLS TEA TV COMMERCIAL*

*We refer to your letter of 15 October 2018 in relation to a complaint about a TV commercial for Bushells tea (the "Advertisement"). A copy of the Advertisement is enclosed.*

*Unilever is a responsible advertiser and has numerous internal review processes, including review by Unilever's Legal and Corporate Relations Departments, to critique all advertisements to ensure compliance with legal and ethical considerations. Unilever takes the AANA Code of Ethics extremely seriously and we have taken great care to ensure that the Advertisement complies with the Code of Ethics.*

### *1. The Advertisement*

*Please see information attached, as requested.*

### *2. The complaint*

*The complainant is concerned that the Advertisement is ageist and discriminates against senior citizens because of the use of the term 'Old Fart' on the tea cup.*

### *3. Compliance with the AANA Code of Ethics (the "Code")*

*3.1 Section 2.1 – Advertising or Marketing Communications shall not portray people or depict material which discriminates against or vilifies a person or section of the community on account of [...] age [...].*

*Unilever does not encourage discrimination or vilification of any kind. We strongly disagree with the view of the complainant that the Advertisement is ageist and discriminates against senior citizens.*

*The Advertisement show a middle-aged son visiting his older father at home. The story of the Advertisement is about a father and son dealing with the loss of their wife and mother. The father is upset when he sees a tea cup that has 'World's best Mum'*



written on it. In the background we can hear emotional piano music.

*We submit that the Advertisement complies with Section 2.1 of the Code and does not depict material that discriminates against or vilifies a person or section of the community on account of age.*

*It is obvious for viewers of the Advertisement that the son loves his father and is trying to help his dad to deal with the loss of his wife. The Advertisement has an emotional and positive tone and does not present the older father in a negative manner. The conclusion of the Advertisement during which the tea cup is shown is humorous and light hearted. The majority of the community would not regard the words “Old Fart” to be discriminating if they are used in an emotional scenario where a son tries to cheer up his father after the death of this wife. The fact that both father and son have a giggle when the father discovers the words confirms to the view that ‘Old fart’ was used in a light hearted and humorous way to cheer up the mourning father.*

*We submit that viewers will not perceive that the Advertisement as discriminating on the grounds age as the words in question are obviously used as a loving gesture by a son for his father.*

### 3.2 Precedents

*Case 0401/13 dealt with a TV commercial using a song referring to the plastic hip and hairy lip of older members of a family. The Board noted the light hearted tone of the advertisement and considered that the references to common signs of ageing are made in the context of a celebration of all members of a family. The Board considered that did not present any older members of the family in a negative manner and that overall the Advertisement was not discriminatory of people based on their age.*

### 4. Conclusion

*We submit that the context of the Advertisement and the language used are well within prevailing community standards and that the Advertisement complies with the Code of Ethics.*

## **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 complainant’s concern that the advertisement ridicules and is demeaning to senior citizens.

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



The Panel 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 Panel noted the Practice Note to Section 2.1 provides the following definitions:

“Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.”

The Panel noted that this television advertisement features a son handing his father a mug that says “Old Fart”.

The Panel noted the complainant’s concern that the advertisement ridicules and is demeaning to senior citizens.

The Panel noted that “Old Fart” is a phrase which can have negative connotations depending on the context it is used in, but is generally a light-hearted term of affection for an older man. The Panel considered that in this advertisement it is used as a light-hearted ending to the emotional advertisement which is focussed on a father and son grieving the implied death of their wife/mother and is not an implication that senior citizens are unworthy or are not intelligent citizens.

The Panel considered that that the depiction of a son handing his father a humorous mug is not a depiction that most members of the community would consider to be discriminative or vilifying to senior citizens.

The Panel 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 age and determined that the advertisement did not breach Section 2.1 of the Code

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

