



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0485/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Murray Goulburn</b>
<b>3</b>	<b>Product</b>	<b>Food and Beverages</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>16/01/2013</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.1 - Discrimination or Vilification Other

### DESCRIPTION OF THE ADVERTISEMENT

We open on a wide shot of a father and son, Dev & Dale, sitting in their lounge room. Dale sits in an armchair, whilst Dev is seated on the couch next to an older woman. Dale introduces himself and his son Dev, and explains that the older woman sitting with them is his mother-in-law Eileen. Dale explains that Eileen is staying with them for 9 months whilst she undergoes a hip operation. Dale explains that this is the same length of time a carton of Devondale Long Life Milk stays fresh unopened. Dev pulls a carton of milk out from behind the couch, and pours two glasses of milk. Dale explains that they always keep a carton chilled so it's ready to go. Eileen changes the TV channel. Dale laments that 9 months is a very long time. Devondale logo and super appear: The Aussie Farmer Co-Op.

### THE COMPLAINT

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

*The advert was about how long nine months can be, and referring to the fact that the man's mother in law would be with them for nine months whilst having her hips replaced. The inference was that the mother-in-law was a nuisance and would make the son miserable. I find it very offensive to depict an older person, needing support from her family, being treated as a nuisance. How many old people would be watching that advert whilst living with their children's families, and knowing that their presence was not welcome when then had no choice but to be there? It is demeaning to mothers in law, and to aged people dependent on*

*their families. Incredibly insensitive.*

## **THE ADVERTISER'S RESPONSE**

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

*The concerns raised by the complainant relate to Section 2.1 of the AANA Advertiser Code of Ethics, presumably on the basis of age.*

*Section 2*

*2.1 Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.*

*The "Mother in Law" TVC in question is part of a broader campaign of four TV commercials for the Devondale brand that went to air during October/November 2012. The other ads featured were called "Porch", "Girlfriend" and "Starkers". All spots in the TV campaign were intended to be humorous and not to be taken literally. The use of comedy and humour is consistent across all ads. Therefore, the intent of the whole campaign is to provide a light touch and engage the viewers on the basis of humour.*

*In the "Mother in Law" TVC that is noted in the complaint, the character of the mother in law is used for comedic effect and her annoyance is not intended to be taken seriously. Note also, nothing in the script is in any sense of the word, discriminatory.*

*As of the 24th November 2012, the commercial in question is no longer on air in all states. Both the creative advertising agency and the advertiser are strong supporters of self-regulation and the AANA Codes of Ethics.*

## **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 is offensive to older people in its inference that mother-in-laws are a nuisance and her presence would make the son miserable.

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 man commenting on his mother-in-law's presence in his house for nine months and that nine months is a very long time.

The Board noted that the stereotyping of mother-in-laws is part of the common cultural narrative in Australia and that whilst this does not of itself make it acceptable the Board

considered that in this instance the overall tone of the advertisement is light-hearted and mildly humorous.

The Board noted the complainant's concerns that the advertisement suggests older people are a nuisance. The Board noted that the man is inferring that it is a long time for his own mother-in-law to spend in his home and considered that the advertisement is not suggesting that all older people or all mother-in-laws would be unwelcome to stay with their families, just this particular one.

The Board noted that the mother-in-law in the advertisement is depicted as in control of the sofa and the television controls and considered that the most likely interpretation of the advertisement is that family relationships can sometimes be difficult and the stereotype of the mother-in-law annoying her son-in-law which the advertisement portrays reflects this in a humorous manner.

Based on the above the Board determined that, in this instance, that the advertisement did not depict any material that discriminated against or vilified any person or section of society. 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.