



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0553/16</b>
<b>2</b>	<b>Advertiser</b>	<b>Grill'd</b>
<b>3</b>	<b>Product</b>	<b>Food / Beverages</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Internet</b>
<b>5</b>	<b>Date of Determination</b>	<b>18/01/2017</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.1 - Discrimination or Vilification Religion

## DESCRIPTION OF THE ADVERTISEMENT

This internet advertisement is on the Grill'd website and features a line drawing of a person sitting cross legged with hands in a traditional prayer pose. Instead of a head there is a burger and the text reads, 'Feel good'.

## THE COMPLAINT

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

*Shows disrespect to the Buddhist religion and many cultures associated with Buddhism.*

## THE ADVERTISER'S RESPONSE

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

*To clarify that this was in no way intended to be, nor was inspiration taken from, the reference of Buddha. The cultural significance of Buddha is certainly something we would not wish to try and replica in a commercial environment, and it would be inappropriate to do so. The imagery was intended to be a meditating monk or Yoga person in lotus pose, which takes inspiration from our long standing line "Healthy Burgers. Healthy Mind" and brand ambassador Lola Berry, as a nutritionist and Yoga advocate. Our brand aims to promote a*

*healthy image, not just through the food we provide but through promotion of a healthy lifestyle of which mindfulness and meditation is a part of, hence its association with Feel Good.*

*Original Feedback response and Email Thread with customer is below:*

*On 14 November 2016 at 12:34, [name provided] wrote:*

*Hi [complainant],*

*Thanks for taking the time to write in and hopefully I can help with your feedback.*

*The symbol in which I believe you are referencing is the monk meditating with the burger head?*

*I first wanted to clarify that this was in no way intended to be, nor was inspiration taken from, the reference of Buddha. The cultural significant of Buddha is certainly something we would not wish to try and replica in a commercial environment, and it would be inappropriate to do so.*

*The imagery was intended to be a meditating monk, which takes inspiration from our long standing line "Healthy Burgers. Healthy Mind". Our brand aims to promote a healthy image, not just through the food we provide but through promotion of a healthy lifestyle of which mindfulness and meditation is a part of, hence its association with Feel Good.*

*On behalf of Grill'd I'm extremely sorry if you have taken offence to this or seen a resemblance, as this is not as was intended.*

*Share the Good,*

*[name provided]*

*Grill'd Healthy Burgers*

*[complainant]*

*Thanks for your reply [name provided],*

*I understand you have not intended to offend anyone. Unfortunately it seems you may still misunderstand "the cultural significance" and the religious significance of the image used. For many Buddhists their [sic] is no way of telling the difference between the "monk" in the Grill'd image and the Buddha. It is also worth noting that the image in question, if not the Buddha, certainly details the characteristics of a meditating Buddhist monk. In many Buddhist sects the monk and his image is as sacred as the Buddha. The monk's image is "...inspiration taken from, the reference of Buddha".*

*It would be good for your organisation to consult widely with the Buddhist community regarding this, particularly the Thai Buddhist Sangha.*

*I hope this gives more clarity,*

*[name provided]*

## **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 disrespectful in its depiction of a Buddha/Buddhist monk with a burger for a head.

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 this internet advertisement features a line drawing of a person sitting cross-legged with their hands in a traditional prayer pose and their head has been replaced with a drawing of a burger.

The Board noted the advertiser is not clear in their response whether the image is intended to be a monk or a yogi and considered that the most likely interpretation, based on the style of clothing and the prayer pose, is that this is an image of a Buddhist monk.

The Board acknowledged that using a burger to replace the head of religious figure would be considered offensive by many members of the community, however the Board also noted that many people use Buddha as a decorative figure, for example garden ornaments and candles, rather than as a religious figure and considered that in the context of a cartoon on a website promoting a food option to make you feel good, the depiction of a figure resembling a Buddhist monk is not designed or intended to offend Buddhists. The Board noted that the advertiser sells vegetarian and vegan options and considered that the advertisement is not suggesting meat consumption.

The Board considered that most reasonable members of the community would not find the advertisement to be offensive or discriminatory towards people who follow the Buddhist religion.

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.

