



## **CASE REPORT**

1. Complaint reference number	114/03
2. Advertiser	Arnott's Biscuits Ltd (Shapes)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1
6. Date of determination	Tuesday, 13 May 2003
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

Four television advertisements were referred to the Board, three featuring young men and one a young woman, each exhibiting difficulty in talking because, according to their scripts, their tongues have gone. With a representation of a tongue variously shown to be running off and having a good time, subtitles help explain the situations to result from placing cards from boxes of Shapes over the tongue to see if a prize has been won. A voiceover details prizes to include “five major beach house escapes and millions of instant win prizes”. Each of the advertisements ends with the advertiser’s brand signature.

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*“I find this inability to speak totally insensitive and unacceptable.”*

*“I and several others find this ad personally repugnant and in very bad taste. It would appear to make a mockery of the afflictions suffered by others, and is both demeaning and disgraceful.”*

*“I find it offensive because the speaking voice is similar to the way some deaf people talk...”*

*“...I thought it was a deaf person trying to talk and find it extremely insulting to the deaf community.”*

*“This ad is offensive because it demonstrates in its promotional ‘gimmick’ what is for some children and adults a medical problem.”*

*“...to hear someone belittled over a stupid biscuit is very hurtful.”*

*“...highly offensive...disgusting.”*

## **THE DETERMINATION**

The Advertising Standards Board (‘the Board’) considered whether these advertisements breach Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board noted the advertiser’s advice that it was not intended to offend television viewers in any way, and that it was not intended to show the television commercial again.

It determined that while the depictions might be regarded as insensitive by some people, they did not constitute discrimination and/or vilification as represented in the Code.

On further determination that no other areas of the Code were breached by the four advertisements,

the Board dismissed the complaint.