



CASE REPORT

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| 1. Complaint reference number | 134/07 |
| 2. Advertiser | Pancake Parlour (IT) |
| 3. Product | Restaurants |
| 4. Type of advertisement | Radio |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination | Tuesday, 8 May 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement features two young men discussing how easy it is to go to the Pancake Parlour and order "IT" - pancakes with banana, walnuts and cinnamon topped with organic ice cream. One man describes the ease of ordering as "you just go...you don't even have to say all that stuff, you just go to the counter and you go to the bird...you just go...IT"

THE COMPLAINT

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

It is offensive because in the ad they say, "you don't have to say nothin' man, you just go to the counter and you say to the 'bird' i want 'it'". The fact that two men are calling a female behind the counter a 'bird' is sexist, offensive and degrading to women. It is appalling to think that a woman working at this establishment may have to put up with this sort of behaviour.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The particular advertisement your complaint refers to has been on-air since January this year. The NOVA 100 radio station in Melbourne has a key demographic of 18-39 year olds, predominantly male. Our brief to the creative department at NOVA was to come up with a concept that would relate to this market. Hence, the characters portrayed in the advertisements are simply two "blokes" who incorporate visiting The Pancake Parlour into their everyday life. ie: visiting for lunch, after going to the movies, taking a date etc.

The response to this campaign has been phenomenal. NOVA 100 radio themselves, has received numerous phone calls and e-mails from listeners wanting copies of the advertisements as they find them so hilarious.

Section 2 of the AANA Advertiser Code of Ethics refers to "Advertisements shall not portray people ... in a way that discriminates against or vilifies a person or section of the community on account of ... sex." By no means was the reference to the word "bird" intended to be offensive or discriminatory. It simply became part of the conversation from the two guys, keeping with the cultural norms of the intended target market.

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 concern that the reference to the woman as a 'bird' was sexist and offensive. The Board considered that some members of the community would find a reference to a woman as a 'bird' is sexist. The Board agreed that the reference does objectify the woman but considered that the term is not emphasised in this advertisement and is not used in a manner that is intended to be derogatory. Rather the context of this advertisement was meant to be a humorous dialogue that is slightly sexually suggestive between two young men. In this advertisement the emphasis on ordering 'it' and the banter between the two men, created an atmosphere that minimised the offensiveness of the use of the term 'bird' although some members of the Board felt it was not good practice for advertisers to encourage cultural norms that could be seen as offensive to a particular sector of society. The Board determined that the use of the term in this advertisement was not discriminatory against women nor vilifying of women and did not breach clause 2.1 of the Code.

The Board also considered that the sexually suggestive reference to ordering 'it' was light hearted and likely to be considered inoffensive by most members of the Community. The Board determined that the treatment of sexual references in the advertisement was not a breach of clause 2.3 of the Code.

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