



## **CASE REPORT**

1. Complaint reference number	146/98
2. Advertiser	Berri Ltd
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Language – use of language – section 2.5
6. Date of determination	Tuesday, 13 October 1998
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement shows a series of close-up shots of a variety of fruits. The shots of the fruits are accompanied by voice-overs in which we hear each of the fruits insulting one another. For example, the orange says of the apple, ‘...I hate apples.’ The apple of the tomatoes, ‘I can’t stand the tomatoes. They’re lazy and stupid.’ The tomato of the strawberries. ‘Those bloody strawberries they’re ruining the neighbourhood. The strawberry of the pineapples, ‘I reckon those pineapples have funny skin.’ The pineapple of the lemon/lime. ‘Can you believe lemon/lime? A mixed marriage! Disgusting.’ The lemon/lime of the oranges, ‘We hate the oranges. Bludgers.’ Following the series of shots of the fruits, the words, ‘Intolerance in people is just as stupid is superimposed on the screen.’ Finally, a still of a fruit salad appears together with the Berri Logo and the words, ‘Celebrate Australia’s Diversity’.

## **THE COMPLAINT**

Comments the complainants made about the advertisement included:

*‘I find being sworn at during this commercial very offensive...’*

*‘The inference that people can be compared to fruits is nonsense...Vegetables and fruits once eaten may all be mixed in together to give the same nutritional value but the distinctive and pleasureable (sic) flavours to the palate are lost if eaten in the mouth together. Apartheid has to be practised in eating several vegetables or fruits at the one sitting in order to appreciate their special genetic contribution to the pleasure of taste.’*

*‘I wish to complain about the BERRI fruitjuice company’s ad to promote Multiculturalism. I am offended because it is leftist, politically correct and patronizing.’*

*‘...I have intolerance towards the foul language used in (the) ad....What possesses you to parade, without shame, foul language?’*

## **THE DETERMINATION**

The Advertising Standards Board (‘the Board’) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board was of the opinion that the advertisement’s treatment of the material did not constitute discrimination or vilification. The Board was of the view that the language used in the advertisement would not offend prevailing community standards and views and did not breach the Code. The Board dismissed the complaint.