



CASE REPORT

1. Complaint reference number	152/03
2. Advertiser	Herron Pharmaceuticals (Capseals)
3. Product	Health Products
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 13 May 2003
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a graphic representation of a Herron Capseals packet and subsequently features a sequence of people asking and answering the question: “Why should we support Herron?” The responses include: “They are Australian owned. They’re not foreign owned... Money and jobs—they stay in the country... Why send jobs overseas?... Herron keeps all profits in the country... More jobs controlled by Australians... I support Australian companies.” The advertisement concludes with an animated graphic representation of a Herron Capseals packet with a voiceover stating: “Take the Herron. It’s Australia’s own pain reliever.”

THE COMPLAINT

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

“My issue is that all of the speakers are White, Anglo-White. No Greeks, Italians, Native Australians, Indian, Lebanese, or Asian. Just White..”

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 noted an assurance from the advertiser that the people appearing in the advertisement were chosen from respondents to a casting advertisement on a non-racial basis.

It was the determination of the Board that the content of this advertisement did not constitute discrimination and/or vilification as represented in the Code.

On further determination that the material did not offend the Code on any other grounds, the Board dismissed the complaint.