



CASE REPORT

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| 1. Complaint reference number | 179/07 |
| 2. Advertiser | Ateco Automotive (Alfa Romeo) |
| 3. Product | Vehicles |
| 4. Type of advertisement | Print |
| 5. Nature of complaint | Discrimination or vilification Nationality – section 2.1
FCAI - Other |
| 6. Date of determination | Tuesday, 12 June 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement features a red Alfa Romeo in a country highway setting with the words "When did anyone ever call a German passionate?" and text describing "The very passionate Alfa 159".

THE COMPLAINT

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

The slogan in its general wording implies a lack of a certain characteristic (passion) in German people and obviously plays on the prejudice of Germans being dull, boring. This advertisement is trying to reinforce a negative perception of the German character, which is then to be extended to their cars. As an Australian of German descent I am offended by this advertisement, and I believe it contravenes Section 2 of the AANA Code of Ethics.

THE ADVERTISER'S RESPONSE

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

At the outset we would like to advise the Advertising Standards Board that the advertisement in question ran only twice, during the period of 11.05.07 to 19.05.07. For creative reasons that were unrelated to this complaint, the advertisement in question was withdrawn from publication two days after initial despatch. The advertisement no longer contains the headline which is the subject of the complaint, being the headline: "When did anyone ever call a German passionate?" There is no intention to resume publication of this advertisement in the future with the said headline.

For this reason we would suggest that the Advertising Standards Board consider that this issue has been resolved and that further consideration of the complaint would be an unnecessary use of valuable ASB resources. We would request that a formal assessment and publication of findings is declined in this case.

In the event that the Advertising Standards Board decides to continue with the complaint, we make the following submissions:

The relevant section is clause 2.1 of the AANA Advertiser Code of Ethics. We confirm that in our view the advertisement is not in breach of this provision, in that the advertisement does not contain any material that discriminates against or vilifies any person on account of their nationality, race etc.

Alfa Romeo is an Italian motor vehicle manufacturer with a presence in the Australian market, together with numerous other European brands. This headline was a light hearted comment that

plays on the healthy rivalry between different European nations, and particularly the rivalry that exists with its European motor vehicle competitors.

The headline embodies the concept that certain perceived characteristics may be attributed to certain nationalities. This could be likened to the idea that Italians are perceived to be passionate people, or that Australians are perceived to drink a lot of beer, or that English are perceived to enjoy drinking warm beer. None of these amount to vilification or discrimination, if expressed in an amicable and light hearted way, and this principle has been demonstrated in the recent ASB decisions on Tooheys New Super Cold. In this case, the statement does not provoke racial hatred or contempt, or encourage people to shun people of German descent. The statement was expressed in the spirit of light hearted rivalry. Overall we believe that recognising diversity, and maintaining a robust and humorous approach, is valuable and healthy for a vibrant Australian culture.

Also note that the support text also in no way vilifies Germans in anyway; if anything helps reinforce the perception of their and other European manufacturers technical expertise.

For these reasons we maintain that the advertisement does not discriminate against or vilify people on account of their nationality, and does not breach the AANA Code of Ethics.

Please note we have attached the original artwork with the original headline: "When did anyone ever call a German passionate?" . Again, there is no intention to resume publication of this advertisement in the future.

I have also attached the replacement headline creative "There's only one place in Europe where passion is in the heart."

THE DETERMINATION

The Advertising Standards Board ("Board") noted that this is an advertisement for a motor vehicle but that the advertisement did not raise any issues under the Federal Chamber of Automotive Industries Voluntary Code of Practice for Motor Vehicle Advertising.

The Board then considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board considered whether the advertisement depicted material in a way that discriminates against or vilifies a person or section of the community on account of race or ethnicity. The Board considered that the statement does present a stereotype although the Board did not consider that the stereotype was actually a stereotype of German people. The Board determined however that despite portraying a stereotype the statement did not vilify or discriminate against German people.

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