



CASE REPORT

1. Complaint reference number	193/98
2. Advertiser	Arthur Yates & Co. Ltd (Thrive)
3. Product	Housegoods/services
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1
6. Date of determination	Tuesday, 10 November 1998
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement shows a man ('the first man') in his garden, watering can in hand. To the camera, he says, 'I use "Thrive" from Yates, it makes everything grow real big ...real fast.' The first man, while still finishing his sentence, peers over the garden fence and pours what is left in the watering can over the fence into the neighbouring garden. The advertisement shows that the man is tipping the contents of his can onto a bonsai plant in the neighbouring garden which is being tended by a man of Asian appearance (the 'second man'). The second man becomes very upset at the first man's act (throwing contents of watering can over the fence) and can be heard shouting angrily in the background. The first man smiles and says, 'That's what mates are for...' The advertisement draws to a close with a voiceover '...put it on your garden and watch it thrive...'

THE COMPLAINT

Comments the complainant made about the advertisement included:

'I found this commercial quite offensive because:

- 1. throwing unwelcome material over a neighbour's fence. What a great example to set!!*
- 2. Racist overtones: (a) lack of respect for another persons/nationalities horticulturall (sic) aesthetics.*

(b) it was unclear, but the (product) could have been landing on the asian gentleman.

Is this a way of symbolically piddling on a foreign neighbour?...

- 4. it is not necessary to present the Australian male as a smartalec yobbo, who, is large of build and small of mind and who enjoys antagonising others.'*

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 members determined that the advertisement's portrayal of the characters concerned did not constitute discrimination or vilification and did not breach the Code. The Board dismissed the complaint.