



## **CASE REPORT**

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| 1. Complaint reference number | 196/00   |
| 2. Advertiser                 | Nestle Foods & Beverages (Nescafe)                 |
| 3. Product                    | Food   |
| 4. Type of advertisement      | TV   |
| 5. Nature of complaint        | Discrimination or vilification Other – section 2.1 |
| 6. Date of determination      | Tuesday, 11 July 2000                              |
| 7. DETERMINATION              | Dismissed  |

## **DESCRIPTION OF THE ADVERTISEMENT**

The television advertisement, depicting a number of men and women drinking (Nescafe) coffee, is set to a Ray Charles song with the altered lyrics: ‘Every morning ‘fore the sun comes up, brings Nescafe in my favourite cup. That’s why I know, yes I know, hallelujah I just love it so.’

## **THE COMPLAINT**

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

*‘I consider it inappropriate to use the word ‘hallelujah’ to sell any product. I also feel that mimicking a certain type of gospel music for commercial purposes could be a cause of offence to some people.’*

## **THE DETERMINATION**

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

The Board determined that the use within the advertisement of Ray Charles’ melody and lyric including the word, ‘hallelujah’, did not constitute discrimination or vilification and that the advertisement did not breach the Code on these or any other grounds. The Board, accordingly, dismissed the complaint.