



CASE REPORT

- | | |
|-------------------------------|---|
| 1. Complaint reference number | 202/08 |
| 2. Advertiser | Balfours Pty Ltd |
| 3. Product | Food & Beverages |
| 4. Type of advertisement | Radio |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination | Wednesday, 11 June 2008 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

There are sounds of people and movement in background. Two men (Wayno and Barry) are having a conversation while eating. The sound of pie wrappers and bites of pastry are heard intermittently throughout the conversation.

Wayno: ...saw you with your new girlfriend the other night...

Barry: ...yeah?...

Wayno: ...(sniggers to himself) ...not much of a looker, is she?...

Barry: ...nup... ...got a face like the back end of a bus... ...tell you what, though... ...her old man works at Balfours...

Wayno: ... yeah

Barry: ...gets me all the Balfours Favourite Square Pies I want... Wayno: Oh yeah?...

Barry: Yeah.

Wayno: Don't s'pose she's got a sister for me?...

Barry: ...nup...

Wayno:...(gulp)... ...brother?...

...(SILENCE)...

Voiceover: The Balfours 'Favourite' Square Pie – now with even tastier, flakier pastry. Everyone has a 'Favourite'. Balfours – Real Honest Food.

THE COMPLAINT

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

I believe this advertisement is derogatory against women as it implies that unattractive women are worthless. I think it's also portraying men in a shallow stereotype.

I strongly believe that this sort of advertising impacts on women's self esteem as it is suggesting that it's acceptable to humiliate women through the media and if your not attractive then you do not deserve to be treated with respect.

THE ADVERTISER'S RESPONSE

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

This letter is in response to advice from the Advertising Standards Bureau regarding a complaint received regarding a radio commercial relating to Section 2 of the AANA Advertiser Code of Ethics. We understand the complaint specifically referred to Section 2.1 ... depiction of material "... which discriminates against or vilifies a person or section of the community on account of... sex..."

The radio commercial in question was written by Slippery Fish for Balfours Bakery, an iconic South Australian company primarily producing pies, pasties and cakes. It is part of a campaign comprising four different spots written specifically for the South Australian pie market – a heavily male-dominated, blue collar audience.

This particular commercial was written to appear solely on radio station Triple M, which attracts an audience of predominantly males working in blue collar trades. Other commercials in the campaign appear on different radio stations and have been specifically written to appeal to those stations' own specific audiences.

The radio commercial in question was written as a humorous reflection of our target audience, taking its style from the larrikinism found in much of mainstream Australian humour/culture. It is in no way meant to offend and should not be taken out of its editorial on air context.

We regret the complainant felt this way about the commercial; however, we believe it was an isolated response and do not feel the commercial is in breach of section 2.1 of the AANA Advertiser Code of Ethics.

To this point specifically, we believe the commercial does not vilify or discriminate in terms of gender. In fact, we believe the complainant actually refers to a person's appearance – not to their gender per se.

We would like the Bureau to take into consideration the fact that the advertiser and advertising agency acted responsibly and within the marketing communications dictum of creating advertising targeted at a specific audience.

In conclusion, when taken in its on-air context, we trust the Board will not uphold this complaint on the grounds that it does not offend prevailing community standards, nor violate any section of the AANA Advertiser Code of Ethics.

THE DETERMINATION

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

The Board noted the complainants' concerns and reviewed the advertisement under Section 2.1 which deals with discrimination.

The Board listened to the radio advertisement and noted that the content was intended to be humorous. However the Board found it to be crass, in poor taste and offensive to women.

The Board further considered that this type of advertising buys into the subtle and not-so-subtle discrimination of woman based on the way they look.

The Board noted that this type of emphasis was unacceptable and demeaning especially in the current climate of mental and physical illnesses which have been linked to portrayals of body image.

The Board was unanimous in its decision that this advertisement was in breach of Section 2.1 of the Code. The Board further agreed that it also raised issues that were in breach of prevailing community standards on health and safety.

Finding that the advertisement breached the Code the Board upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

We have advised our media buyer to discontinue the use of the ad.