



CASE REPORT

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| 1. Complaint reference number | 220/09 |
| 2. Advertiser | Woolworths |
| 3. Product | Food & Beverages |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Wednesday, 10 June 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television commercial introduces Jack Edwards as a fresh food person. He is shown in his kitchen preparing his breakfast. As Jack cooks his toast in an old fashioned toaster he says “There is absolutely nothing like the smell of toast in the morning, that’s why I make sure I get to Woolies to get a fresh loaf first thing.” As Jack is buttering his toast and putting some honey on his toast, he says “Nice creamy butter and some honey.” He then says with a chuckle, leaning toward the camera, “the honey, I steal that. They were none too pleased this morning.” Jack is then depicted outside with his apiarist’s uniform and smoker accessing honey from the bee box/hive in his back yard. The words “We’re fresh food people, because you are.” and the Woolworths logo are displayed.

THE COMPLAINT

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

It is not funny in isolation or in context. It is a pointless statement and I feel children watching this grandfatherly role model would assume stealing is OK.

When the gentleman removes the toast from the old-fashioned toaster (one with side fold down doors) the toaster element is still glowing red. These toasters are outdated and dangerous and can cause electrocution if the element is touched while it is turned on. I believe this contravenes 2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

THE ADVERTISER’S RESPONSE

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

Woolworths does not consider the advertisement raises any issues under Section 2 of the AANA Advertiser Code of ethics (Ethics Code), Section 2 of the AANA Code for Advertising to Children (Children's Code), or the AANA Food and Beverages Marketing Communications Code (Food and Beverages Code).

As a matter of convenience only, I have intentionally not detailed relevant Sections of the respective Codes which may be touched by the Complaint. I do note that the complaint suggests issues regarding, sex, sexuality or nudity (Section 2.3) and the adverse effects on children or young people.

The advertisement, the subject of this complaint, was intended to reflect the routine that the elderly gentleman has undertaken for many years which includes enjoying his toast for breakfast, using his toaster of preference, his home grown honey and enjoying the fresh bread that he

purchases daily from someone he knows and trusts, namely Woolworths.

The reference to the "stolen" honey is light hearted and joking in its nature in the context of him sourcing it from his own backyard hive.

Both the "toaster" and the "honey" are more closely associated with the careful and "frugal" disciplines of an elderly person who has lived through difficult financial times, such as the Great Depression, and their trust in brands such as Woolworths which has developed over a long period of time.

There is, in Woolworths' view, no basis on which to conclude a reasonable member of the audience would be likely to understand that the advertisement would encourage unsafe practices or encourage bad behaviour in children contrary to the Code.

As you know, Woolworths is committed to complying with the Codes and all applicable laws with respect to its advertising activities. In addition, Woolworths would like to assure the Board that it is, and will continue to be, careful to ensure that all advertising that refers to it or any of its brands is not offensive and does not promote conduct of an irresponsible nature.

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 complainants' concern that the advertisement depicts an unsafe activity and depicts theft as acceptable.

The Board noted the image of the man using an 'old fashioned' toaster. The Board considered that the advertisement depicted the product being used in an appropriate manner and not in a manner that was unsafe. The Board considered that the advertisement did not depict material contrary to prevailing community standards on health and safety and did not breach section 2.6 of the Code.

The Board noted that the man refers to stealing honey and that the advertisement depicts the man collecting honey from the hives. The Board noted that the reference to 'stealing' honey was lighthearted and clearly directed to collecting honey from bee hives, which is not theft. The Board considered that there is no condoning or encouraging theft in the advertisement.

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