



## **CASE REPORT**

1. Complaint reference number	237/04
2. Advertiser	Smith's Snackfood Company Ltd (Smith's Crisps)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Race – section 2.1
6. Date of determination	Tuesday, 14 September 2004
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement features three ethnic workmen sitting around a worksite eating Smith's crisps. A hurdle race breaks out on the worksite through the dirt and rubble and the workmen keep on eating. The tagline is "Blame it on the taste".

## **THE COMPLAINT**

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

*"I believe this ad constitutes a racial slur, and is therefore in breach of Australian advertising standards and some Australian laws."*

*"I have found the advert offensive and denigrated Greeks in general. It depicts Greeks as lazy, not being able to finish the job on the Olympic facilities and so on and so on. It's offensive as it negatively depicts Greeks in this way and continues the negative stereotyping of the Greek population and culture."*

## **THE ADVERTISER'S RESPONSE**

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

*"The humour in the advertisement is not based on any cultural stereotypes. It is based on the situation, not the characters."*

*"The intent of the commercial was to communicate that Smith's Crisps taste so good, you'll get carried away and forget what you're supposed to be doing. We believe that this idea was set up clearly as an exaggeration."*

*"This advertisement was certainly never intended to insult or ridicule Greeks or the Greek community in Australia. Nor was it in any way intended as commentary on the Athens Olympic Games, which have been such a great success."*

*"The commercial is no longer screening on television and our cinema advertising campaign will finish today, 2<sup>nd</sup> September."*

## **THE DETERMINATION**

The Advertising Standards Board ("Board") considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the "Code").

The Board formed the view that in the context of prevailing community standards, the majority of

people would find this advertisement humorous rather than offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of people (race)/vilification.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.