



## CASE REPORT

1. Complaint reference number	277/07
2. Advertiser	Inghams Enterprises Pty Ltd (Breast Awareness Week)
3. Product	Food & Beverages
4. Type of advertisement	Outdoor
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 11 September 2007
7. DETERMINATION	Upheld – discontinued or modified

## DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement has the words "Breast Awareness Week" in white letters, on a red background. Underneath these words are packets of Ingham's Breast Chipees and Breast Munchies followed by the text "Ingham snacks are now made with 100% chicken breast".

## THE COMPLAINT

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

*This ad is distasteful, and caused me huge offense. Distasteful, as it is trying to increase their own ad awareness off the back of the high awareness that exists for breast cancer charities. Offense, as my mother died of breast cancer, and it is not a topic that I regard with any humour. I don't appreciate the suffering of my mother, or the millions of other breast cancer sufferers being marginalised by a chicken company!!!!*

*I am absolutely appalled by Ingham's recent Ad Campaign exploiting 'Breast Awareness Week' to sell chicken products. As I drove past a bus stop bill board last week and read the words 'Breast Awareness Week' I initially didn't think too much about it with Daffodil Day coming up. However, it wasn't until after I had past the sign that the message within the poster sunk in, and what I was actually seeing was a repulsive marketing ploy to sell chicken. Today, after visiting the Ingham website, I discover that apart from the offensive advertising campaign, Ingham is also a "Proud supporter of the McGrath Foundation". They cannot be serious. This ad is offensive and in very poor taste. Breast cancer is a serious issue, and they are exploiting a health related slogan to advertise their products for commercial gain.*

*Not only is it upsetting as my sister died recently of breast cancer, but it could be construed as interfering with a public health campaign for breast cancer awareness. It is also in really bad taste to advertise a food product especially chicken breast with text that clearly infers to campaigns carried out to promote breast awareness in women.*

*This is offensive to women and it has a sexual reference and particularly offensive to women who have suffered breast cancer as it clearly targeting women and appears to be about these issues.*

## THE ADVERTISER'S RESPONSE

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

*We contend that this advertisement was never intended to nor does it breach this Code and offer the following by way of explanation:*

- *At Ingham we undertake periodic consumer research to ensure we have an up-to-date perspective*

*on what consumers are feeling and what they wish to see from our product range. Research over the last 12 months has consistently reiterated the desire for products that are not only taste good (and are thus popular) but that are also “good for you”.*

- When it comes to chicken specifically, the consumer benchmark for quality and healthiness is clearly breast meat. Consumers readily use the word breast (v thigh v leg) when discussing chicken and use exactly the same language when purchasing chicken at the supermarket or butcher. For them breast is simply best.*
- Thus, in designing our new outdoor posters, we have deliberately chosen the same language that consumers use with us. The intent was always to keep the communication simple and to the point – to clearly communicate the key change that consumers have been asking of us for some time.*
- Whilst we acknowledge the concern raised by consumers, it is also important to appreciate that no one brand / category has a ‘mortgage’ on a set of words. As consumers regularly tell us, the word ‘breast’ is synonymous with chicken, and, in Australia, the Ingham brand is equally synonymous with chicken. On that basis we do not believe it is inappropriate, as Australia’s leading chicken brand, to deliver a ‘breast’ message as clearly as we have.*
- As a company, Ingham Enterprises are well aware of the seriousness of the issue of breast cancer in the Australian community. So much so, that Ingham has, and continues to be, a proud supporter of and financial contributor to the McGrath Foundation. (The McGrath Foundation is a charitable organisation set up to support the placement of breast care nurses in rural and regional Australia.)*
- In fact, in October this year, Ingham will be changing a number of our popular products from the well known ‘red’ pack to a ‘pink’ pack to reinforce support and awareness of this important cause. This activity will also be supported with print advertising that has been prepared in conjunction with the McGrath Foundation. A lesser known fact is that Ingham is committed to funding a multi million dollar human medical research facility at Liverpool hospital, focussing on clinical trials, biomedical research etc.*

*In summary, the advertising was not intended to cause any offence or misrepresent in any way. It was simply designed using the type of language that consumers use when they are talking about chicken, and to ensure all our consumers very clearly understand that we have made the product changes they have been so keen to see from Ingham.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”). In particular the Board considered whether the advertisement discriminated against or vilified women or in particular women suffering from breast cancer. The Board considered that the advertisement’s play on breast cancer awareness terminology was in poor taste but did not discriminate against women or sufferers of breast cancer.

The Board then considered whether the advertisement depicted material that was contrary to prevailing community standards on health and safety. The Board noted the significant work undertaken across the community by Government, the private sector and members of the community in raising awareness of and funds for breast cancer research. The Board acknowledged the good work of Ingham’s in promoting breast cancer awareness but felt this ad was in poor taste and was detrimental to all the work done in the community. The Board considered that the advertisement diluted the impact of public health campaigns by depicting material that trivialises an important public health issue. On this basis the Board determined that the advertisement breached Section 2.6 of the Code and upheld the complaints.

The Board noted that in its view if the advertisement included a statement that Ingham's supports breast cancer research the negative impact of the ad would be neutralised.

## **ADVERTISER'S RESPONSE TO DETERMINATION**

*I would like to register our disappointment with this judgement and remark that we believe the complaints to be small in number from a vocal minority. However, we accept the judgement and can confirm that the campaign ended on Saturday 1 September 2007.*

*Whilst the nature of outdoor advertising necessitates a short time period whilst contractors circulate the sites and remove panels, I have endorsed the point with OMD, our media agency, that there should be no attempt by the contractors to prolong this campaign in the marketplace. I feel confident that all panels have now been removed and can assure you that this campaign will not be repeated in the future.*