



CASE REPORT

1. Complaint reference number	278/06
2. Advertiser	Valcorp Fine Foods (Dilmah Tea)
3. Product	Food & Beverages
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 8 August 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement relates the story of “a family in the paradise isle of Sri Lanka for whom tea is much more than just a nice drink” and shows a scene with the founder of Dilmah, Merrill J Fernando and his family, enjoying tea. The voiceover continues “Their story begins in the picturesque highland tea gardens. In this pure natural environment, they handpick only tender leaves and buds. Then they make the finest traditional tea”. The founder’s grandchildren are shown running through the tea fields among the pickers, then in a laboratory setting, men are seen tasting the various quality of the processed tea, as the voiceover concludes “Finally they taste over 5000 cups each week. The story ends with you and the perfect cup of tea.” Mr Fernando is seen walking in the tea fields and advising “Once you taste my Dilmah you will never go back to ordinary tea. Do try it!!”

THE COMPLAINT

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

These ads depict numerous Indian and/or Sri Lankan women picking tea out in the fields for, according to my knowledge, an extremely low wage. Then the ads cut to big fat Indian MALES in science lab coats, standing around “tasting tea”, appearing authoritative yet leisurely. In the background the women (ALL women) pick tea at a furious pace, while the men (ALL men) expound the superiority of their tea in a pompous manner.

I find these ads discriminatory against women. These Dilmah ads would serve far better as informative television ads regarding the exploitation of women, considering the fact that even in 2006, and according to statistics, women perform 90% of the world’s labour for 10% of the world’s wages.

These ads anger and revolt me.

THE ADVERTISER’S RESPONSE

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

In support of my family’s philosophy of caring and sharing with our workers our public relations, advertising and promotion create awareness of what is really behind your cup of tea.

As in any industry there have to be ownership, management, senior management, junior management and a workforce. As a family business I consider every layer to be equally important to the success of our business. In the tea gardens we employ largely females for picking tea and for grading after manufacture. The work of pruning, manuring, weighing, withering, rolling and firing is largely restricted to males. This is not a gender issue but a historical one here for centuries men and women have worked together to produce your cup of tea. This is the method of

making tea in all traditional tea growing nations.

“Fat Indian males”....are expert tea tasters who determine the success or failure of our business...the three males are my two sons and I. I have no daughters but I do have grand-daughters who are being exposed to the family business and are in fact, featured in several Dilmah advertisements.

Today, plantation workers enjoy a realistic wage, free housing, health benefits, education for their children, and retirement benefits under government regulations. Any critic of the wage structure of a country not their own, should relate the cost of living of that country, without which he or she merely takes comfort in levelling.

(The complainant) being unaware of the real picture, criticise the victim rather than the perpetrator. She is obviously unconcerned of the consequence of eliminating female workers from their traditional functions on tea gardens. There would be massive unemployment and poverty.

Our earnings are shared with the workers and the wider community and reinvested in making the tea industry sustainable.

THE DETERMINATION

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

The Board considered whether the advertisement breached section 2.1 of the Code by depicting Sri Lankan people in a way that discriminated against them or vilified them on account of their race or gender. The Board noted the advertiser’s comprehensive response.

The Board noted that the people in the advertisement were depicted performing certain tasks. The Board accepted the advertiser’s response that the depictions were depictions of the actual people in Sri Lanka who perform these tasks and that, historically, certain roles are performed by women and others by men.

The Board considered that the advertisement was a factual representation of tea making and that in portraying particular people in certain roles it did so in a manner that was not discriminatory against any person on account of either their race or gender.

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