



## **CASE REPORT**

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| 1. Complaint reference number | 290/06  |
| 2. Advertiser                 | Subway Sandwiches & Salads (Greek Lamb Souvlaki Sub)  |
| 3. Product                    | Restaurants   |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Discrimination or vilification Nationality – section 2.1<br>Health and safety – section 2.6 |
| 6. Date of determination      | Tuesday, 8 August 2006  |
| 7. DETERMINATION              | Dismissed   |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement uses 1950's newsreel footage showing Greek immigrants disembarking in Australia from a large ocean liner at the docks and carrying old-fashioned steamer cases. A male news commentator announces "Welcome! New Australians arrive from Greece to be greeted by far-flung family and friends! And boy, have they got a spring in their step. Look out Australia!" As the immigrants descend the gangplank the commentator continues "Hey there! What's that in the suitcase?" A steamer case is opened and we see rows of wrapped Subway rolls. "Why look, they've brought a new kind of Greek food, the Souvlaki Sub! Delicious Greek style lamb with mouth-watering traditional ingredients and that distinctive Souvlaki sauce! They must have had a Subway restaurant on board! Welcome all! And welcome, the Souvlaki Sub, only at Subway!"

## **THE COMPLAINT**

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

*I must admit disappointment at showing immigrants arriving in our country carrying a large case/crate of Subway items deemed to be souvlaki subs. Our Government/Quarantine Departments spend huge amounts in advertising and promoting yo visitors and locals returning from overseas about items we cannot bring into Australia . Meat products being high on the list! We have Subway giving the impression that we can bring foodstuffs into Australia .*

## **THE ADVERTISER'S RESPONSE**

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

*The advertisement is by no means meant to undermine Australia 's Quarantine Department. We certainly acknowledge the department's initiatives to protect Australia from foreign pests and bacteria and the television advertisement was simply meant to depict the arrival of a new product for Subway Restaurants in a light-hearted an entertaining manner.*

## **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 that importation of cooked meat is subject to declaration at quarantine and may not be permitted into Australia . However the Board noted that the Subway advertisement simply depicts, in a fantasy situation, people disembarking a boat with Subway lamb rolls. In the Board's view the advertisement makes no comment on whether or not such articles have been subject to quarantine and does not suggest that there is any impropriety in the behaviour of the passengers disembarking.

The Board considered that the advertisement does not depict material contrary to prevailing community standards on health and safety.

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