



CASE REPORT

1. Complaint reference number	298/99
2. Advertiser	Unilever Australasia (John West Salmon)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 14 September 1999
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement depicts a wharf, upon which a man is selling fish from a small stall. The words 'Klawock Alaska' are briefly superimposed. A second man, of native American appearance, examines one of the fish and says 'The colour of a rain filled cloud'. The first man says 'Huh?' to which the second man replies 'It's rubbish. Where's your best fish?' The first man shrugs and says 'John West' and the second man says 'Ah, Running Bear with Eagle Eye - our name for John West. He spots the best salmon and grabs it ... We also have a name for man who try to sell salmon that Running Bear rejects'. The first man asks 'What's that?' to which the second man replies 'Dumb'. Voiceover concludes saying 'It's the salmon John West rejects that makes John West the best'.

THE COMPLAINT

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

"The advertisement as it stands would have the fisherman throwing away boxes of perfectly edible, dead fish ... This insistence that food be perfect to look at is only encouraging wastage of natural resources and consumption of food that has been altered in some way _ -ie processed, treated with chemicals, or even using irradiation and gene manipulation – all techniques which are potentially harmful to the consumer."

THE DETERMINATION

The Advertising Standards Board ('the Board') considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics ('the Code').

The Board determined that the advertisement did not contravene prevailing community standards on safety, noting that the exchange between the two men was clearly presented in an exaggerated manner to emphasise product quality and would not reasonably be interpreted in a literal sense. The Board determined that the advertisement did not breach the Code on this or any other ground and, accordingly dismissed the complaint.