



CASE REPORT

1. Complaint reference number	308/08
2. Advertiser	Haggle Co
3. Product	House goods/services
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1
6. Date of determination	Wednesday, 13 August 2008
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a short-statured actor playing "Little Mark" for a discount furniture warehouse. The announcer advises that this Little Mark is going to save you \$300. A fully-grown man "Haggle Boy" then jumps up to correct the announcer and advise that it isn't **this** Little Mark but **this** "little mark" (i.e. imperfection) on various furniture items, which are marked down. Little Mark is then seen investigating various furniture items as the announcer lists the savings on scratched items. Haggle Boy explains the company does this "markdown sale" once a year.

THE COMPLAINT

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

I think the Haggle Co has sunk to new lows, their ads in general are dreadful, but I find this ad very offensive by using a dwarf human being to sell furniture. I think the connection is tenuous at best and in this day and age I would have thought we had moved way past the need to display a human being in this way. I think the ad is stupid, annoying and particularly offensive for it's poor taste in highlighting another person's disability.

THE ADVERTISER'S RESPONSE

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

Using a short statured person in a commercial should not be considered any different than using a person of average height. In no way were we derogatory towards Corey (the short statured actor that appears) nor was he made to do anything that he was not 100% comfortable with.

THE DETERMINATION

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

The Board viewed this television advertisement and considered whether it breaches Section 2.1 of the Code which deals with discrimination and vilification.

The Board noted that the character "little Mark" was smiling and cheerful throughout the advertisement.

The Board further noted that the short statured person was placed in context of the product being advertised that of furniture with small marks or scratches on it.

The Board considered that the advertisement was not belittling or degrading of the actor or people of

short stature generally and therefore was not in breach of Section 2.1 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.