



CASE REPORT

1. Complaint reference number	317/05
2. Advertiser	Valcorp Fine Foods (Dilmah Tea)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Nationality – section 2.1
6. Date of determination	Tuesday, 8 November 2005
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The opening scene in this television advertisement depicts the founder of Dilmah Tea, seated with his family in an outdoor setting. He explains to viewers: “*Not so long ago, all the tea you drank came from Ceylon, now Sri Lanka, the world’s best. Today, sadly, you drink lots of tea from many cheaper, inferior countries. Dilmah brings quality*”. As he says this, the founder is shown to be standing in the tea fields whilst local tea pickers in traditional dress are shown in the background. The founder continues: “*Packed at source to guarantee that unique quality and freshness so you can enjoy real tea the way it used to be*”. The advertisement then depicts (once more) the founder of Dilmah Tea sitting with his family in the garden setting. He offers a cup of freshly poured tea towards the camera. The advertisement then cuts to show the founder’s hand serve a Caucasian woman a cup of Dilmah Tea.

THE COMPLAINT

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

“The ad smacks of colonialism. I find it highly offensive that a colonial setting whereby the white bosses are being served by local people in their own country... The local tea pickers are portrayed as quaint in their traditional clothes, and happy with their lot at the bottom of the industrial ladder. Whereas the white people drinking tea are clearly the bosses, superior in their sophistication, dress and rich. Being waited on by local people in their own country...”

THE ADVERTISER’S RESPONSE

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

“We do not believe that the advertisement could be considered in breach of the Code on the grounds of portraying people or depicting people in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality...”

“The reference made to a servant serving tea is incorrect. The image portrayed is that of the founder himself. This is done so to depict the fact that Dilmah Tea comes direct to Australia from the Dilmah plantations. None of our commercials show tea being served by servants or domestic staff.”

“We also believe the claim that the local tea pickers are portrayed as quaint in their traditional clothes and happy with their lot at the bottom of the industrial ladder is groundless. The tea pickers featured in the commercial have been shown in their usual attire...”

THE DETERMINATION

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

The Board took into consideration that the depiction of the local tea pickers was an accurate representation of those workers and was not demeaning or degrading in any way. The Board considered that it was clear in the final scene of the advertisement that it was not a servant serving the Caucasian woman a cup of tea, rather the founder of the company himself.

The Board found that the advertisement did not contravene the provisions of the Code relating to the portrayal of people (nationality).

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