



## **CASE REPORT**

1. Complaint reference number	368/07
2. Advertiser	Barbeques Galore Pty Ltd (How Do You BBQ?)
3. Product	Housegoods/services
4. Type of advertisement	Radio
5. Nature of complaint	Violence Cruelty to animals – section 2.2
6. Date of determination	Tuesday, 13 November 2007
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This radio advertisement features a voiceover announcing "The past few months have had a devastating impact on Australia's finest horses. What I'm about to tell you now will have just as much impact but this time, it won't affect Australian horses. It will affect Australian cows. Right now, Barbeques Galore has taken 25% off the entire Beefmaster premium range. That's a 25% off Australia's favourite barbeque. Check out our summer sale catalogue for these and more great savings. Barbeques Galore, how do you barbeque?"

## **THE COMPLAINT**

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

*We currently have a health crisis for horses, where they are sick with influenza and therefore are suffering. I understand part of the treatment is pain relief. Further, many families are really struggling financially due to this crisis. I find it absolutely despicable that a company should try to use the current pain of the horses; as well as the major financial stresses felt by a number of families; in an attempt to increase their profits. If the crisis had passed, then perhaps this could be seen as a very low act and dismissed with the contempt it deserves; however given the current suffering and need for government funding, I found this truly disgusting. I work in the food industry and so I generally have no problems with advertising; but I am also an animal lover and I found this ad to be just too much to accept without complaint.*

## **THE ADVERTISER'S RESPONSE**

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

*It should be noted that this commercial has now aired and there is no plan to re air this commercial in the future. No complaints have been received by Barbeques Galore in relation to this commercial.*

## **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 the complainant's concern that the advertisement made light of a serious health situation, specifically the equine influenza outbreak in eastern Australia.

The Board considered that the advertisement's reference to equine influenza was not a matter that was relevant to section 2 of the Code. In any case the Board considered that the reference was obviously

intended to be light hearted - not offensive or trivialising of the losses suffered by many people effected by the outbreak. The Board noted the advertisement's reference to the likely effect on the cow population as a result of the BBQ galore sale and considered the reference tasteless (so to speak) but not offensive or in breach of the Code.

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