



CASE REPORT

1. Complaint reference number	38/07
2. Advertiser	Meat & Livestock Australia Ltd (pie chart)
3. Product	Food & Beverages
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Discrimination or vilification Political belief – section 2.1
6. Date of determination	Tuesday, 13 February 2007
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features Sam Kekovich stating "Men and women of Australia. This is a recipe for unAustralianism". A "pie chart" is shown with 9/10ths of the area covered with cabbage (and labelled Greens) and one lamb chop (representing the Australia Day Party). Sam continues "And this is my recipe for a better Australia" as the pie chart is changed to show nine lamb chops and only 1/10th of the chart with cabbage. Sam concludes his statement with the words "So don't be unAustralian. Vote Lamb on Australia Day. You know it makes sense."

THE COMPLAINT

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

It is discrimination that this man puts a section of the public in a category, making a joke out of people life choices. I take it as a direct insult. It is bad enough to see animal body parts being advertised as food, lets cut the negative brainwashing and encourage a healthy and intelligent nation.

The ad implies that voters and members of the Australian Greens political party are "un-Australian." Discriminates against or vilifies a section of the community on the basis of political belief.

THE ADVERTISER'S RESPONSE

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

Given the satirical tone of the lamb advertisement, Sam Kekovich 's clear advocacy for lamb, and the obvious play on meanings of the word 'Greens', we do not consider that a reasonable consumer would think that this ad implies that voters and members of the Australian Greens political party are 'un-Australian'.

Overall, we think this year's Australia Day campaign featuring Sam Kekovich for the third year running was clearly satirical. Australians like to make fun of themselves (and others) and this is what this campaign does.

We do not believe that these commercials offend community standards, nor violate any section of the Code. This view is further reinforced by the reaction of media who have seen and extensively reported on, broadcast and generated discussion on the commercials as editorial. Furthermore, this year we've been flooded with positive fan mail for Sam Kekovich via our website www.votelamb.com.au indicating a great deal of community support for this campaign.

THE DETERMINATION

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

The Board considered whether the advertisement breached Section 2.1 of the code dealing with discrimination and vilification.

The Board noted one complainant's contention that the 'Greens' depicted in the graphical element of the advertisement referred to the Australian Greens Party. While the Board acknowledged that some people may have interpreted the advertisement that way, it was sufficiently ambiguous to be doubtful. The Board also noted the complainants concern that the advertisement discriminated against or vilified vegetarians. The board noted that the actor in the advertisement states a preference for meat and expresses a view that in his view not eating meat is unAustralian. The Board agreed that the lighthearted and satirical nature of the advertisement - and the exaggerated, comical bigotry of Sam Kekovich - operated such that the community was unlikely to take the advertisement seriously.

The Board concluded that the advertisement did not discriminate against members of the Greens party or against vegetarians.

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