



CASE REPORT

1. Complaint reference number	421/09
2. Advertiser	La Famiglia
3. Product	Food & beverages
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Ethnicity – section 2.1
6. Date of determination	Wednesday, 23 September 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This advertisement shows a family enjoying lunch together and an old lady, dressed in black (a widow) is depicted sniffing around the family's lunch. As the mother walks outside with some garlic bread, the old woman is seen hiding in a pot - she is then near the steps with a jug and later depicted in the dog kennel. The ad cuts to the family having dinner at the table and the old lady is hiding in the BBQ and in the pond and hanging on the clothesline. The voiceover says that the product is made with 100% pure butter and herbs, and that La Famiglia Garlic Bread is so delicious the Italians want it back.

THE COMPLAINT

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

Section 2.1 of the "AANA code of ethics" is clearly breach by depicting Italian people as 2nd grade citizens . First example in TVC is an italian women hiding in a Pot plant , 2nd example in TVC is Italian women insdie a dog house sniffing like a dog , depicted as dog , 3rd example is a italian women hanging on the close line as a crucifed women , the 4th example n TVC depicts a a Italian women as a lepper or a person of a low standard hidding under the table trying to steal the garlic bread .

If this same TV commercial was made depicting Aboriganals the same way , instead of Italians , then would have been a public outcry on the media .

Section 2.1 of the ANNA code of ethics , clearly states that any TVC shall shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion. This section is clearly breached as Depicting Italian people as dogs , leppers and 2nd grade citizens in the TVC.

Degrading & demeaning and racially villifying women from mediteranian countries...creating sterotypes....

This ad had portrayed these type of women nothing more than dogs who are only worth sniffing garlic bread. They are vulnerable members of our society.. they wear black as a mark of respect due the loss of either their husband or a family members. The ad to the young will create disrespect toward them....An absolute disgrace and should never be shown on TV again....Can you please ban this commercial from TV forever. An insult to millions of australiano who have known caring women like this...This is by far the worse commercial I have ever seen...

THE ADVERTISER'S RESPONSE

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

We refer to your email of 3 September 2009 (ASB Email) in respect of two complaints (Complaints) made to the Advertising Standards Board (ASB) regarding the La Famiglia "the Italians want it back" television commercial (Advertisement).

We do not believe that the Advertisement in any way breaches sections 2.1 , 2.4 or 2.8 of the AANA Advertiser Code of Ethics (Code). The purpose of this letter is to set out the grounds for that belief. In order to better explain the grounds for our view, please find attached the following background information:

- original briefing document prepared by our advertising agency in March 2006 prior to the first airing of the Advertisement - contact ASB;*
- Ameritest test survey results from May 2008 (Ameritest Results) - contact ASB; and*
- Ameritest summary document outlining the Ameritest process - contact ASB*

2.2 Sections 2.1 , 2.4 and 2.8

We understand that the Complaints allege that the Advertisement breaches section 2.1 of the Code on the basis that the Advertisement portrays people in a way which vilifies Italian women on the basis of nationality and / or gender. We strongly disagree that the Advertisement portrays Italian women in this manner and instead are of the view that the Advertisement portrays members of the Italian community, and women, in a positive light. We set out our further comments in this regard in section 2.3 below. We also strongly disagree that the Advertisement is in breach of section 2.1 of the Code.

Having regard to the theme, visuals and language used in the Advertisement, the Advertisement is not directed primarily to children and therefore, we do not consider that section 2.4 of the Code or the provisions of the AANA Code for Advertising & Marketing Communications to Children to be applicable to this matter. We also note that these provisions were not the subject of the Complaints.

Likewise, having regard to section 2.8 of the Code and the provisions of the AANA Food & Beverages Advertising & Marketing Communications Code, we do not believe that the Advertisement is in breach of these provisions. We also note that these provisions were not the subject of the Complaints.

2.3 Intent of the Advertisement is positive

We are of the view that the Advertisement portrays members of the Italian community, and in particular its elders, in a positive light. The intent of the commercial is to emphasise the "Italianess" of La Famiglia garlic bread . Indeed, the Briefing Document provides that:

"A key part of perception of quality is authenticity, like 'Italianess'. Not necessarily 'from Italy', but food as an Italian would make and eat. In particular, Italianess is a quality cue that suggests fresh ingredients, home cooking & 'real' meal time experiences with family and friends. The Italian lifestyle is aspirational due to the perceived simpler lifestyle, quality time with family & friends and food . We need to emphasise the kitchen as the centre of this lifestyle and where family & friends gather and so has a deeper connection."

Ultimately the Advertisement was created in order to take advantage of the perception amongst the public of the authenticity of Italian food. The Advertisement, the use of Italian "Nonnas" and the tag line "the Italians want it back" are all intended to throw positive light on the contributions of the Italian community to this area of industry.

We also believe that the Advertisement portrays women in a positive light. The portrayal of the "Nonnas" in the Advertisement is intended to be comical, light-hearted and humorous and is intended to demonstrate the steps that the "Italians" will take to get back the La Famiglia product. Our view is that the "Nonnas" are depicted as clever and cunning and their actions (and hiding places) are clearly comical and not to be interpreted literally. We also believe that the "Nonnas" are portrayed in a positive light as they are held in high esteem by the Advertisement as representing the high quality of "Italianness" that the product embodies as

the "Nonnas" are depicted as the guardians of that high standard.

We felt that using "Nonnas", rather than "Nonnos" in the Advertisement was appropriate in that it helped viewers better identify with the "Italianess" of the product. We had intended that the use of Nonnas in this regard would have positive connotations as we view them as central to the traditional Italian family-based culture and the kitchen. This "Italianess" and familybased culture was a key part of the brand essence for La Famiglia that the Advertisement was seeking to establish.

For these reasons, section 2.1 of the code is not breached as the Advertisement does not vilify or discriminate on the grounds of "gender" or "race".

2.4 Ameritest results

La Famiglia used Ameritest, an industry standard procedure, in order to obtain feedback on the Advertisement prior to its airing in Queensland. The study employed a sample of 202 main grocery buyers aged 18 years to 64 years who have purchased garlic bread in the past 4 weeks. The Ameritest Results were overwhelmingly positive, with a "Like" to "Dislike" rating of 77% to 9%, well above the Ameritest Australian average. These findings add further weight to our view that no vilification has occurred.

2.5 Run history

Our view that the Advertisement is not in breach of section 2.1 is further supported by the successful on-air history of the Advertisement, which has run as follows:

- **2007:** Adelaide Metro: 5 weeks on air from Sept 02 - Oct 21
- **2008:** Queensland Metro, Queensland Regional and National Pay TV: 9 weeks on air from Sept 14 - Dec 7

We received no complaints during above campaigns. In fact, the Advertisement was so successful that our strategy was to roll it out into larger markets, including NSW.

2.6 Current run

- **2009:** NSW Metro, NSW Regional and National Pay TV: 8 weeks on air from Jul 26 - Nov 9.

The Advertisement will be off air by 9 November and we would submit that, given the Advertisement does not, in our view, breach the Code, it should be allowed to continue its current run ending on 9 November 2009.

We hope that the above has clearly summarised our position and that the ASB shares our view. In any event, please do not hesitate to contact me directly should you have any further queries regarding the content of this letter or require any further information regarding the Advertisement.

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 concerns of the complainants and reviewed the advertisement under Section 2.1 of the Code which deals with discrimination and gender.

The Board viewed the television advertisement which features an older woman dressed in black, depicted as a grandmother of an Italian family who are enjoying their food at a family gathering.

The Board considered that although the grandmother is presented as a stereotypical Italian Nonna, her appearance in various places within the advertisement (hiding from the family) was intended to be humorous and a funny depiction of the Nonna spying on the family and attempting to take away their garlic bread.

The Board considered that most members of the community would appreciate the humour within the advertisement and they would consider the light and humorous depictions to not constitute vilification

or be demeaning to the mature woman's ethnicity or gender.

The Board found the advertisement to be a light-hearted depiction of the authenticity of the product and how good it was, even in comparison to traditional, home baked recipies.

The Board further considered that images contained in the commercial were not contrary to current social values and therefore the advertisement did not breach Section 2.1 of the Code.

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