



## **CASE REPORT**

1. Complaint reference number	447/99
2. Advertiser	Hog's Breath Cafe Aust Pty Ltd
3. Product	Restaurants
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Health and safety – section 2.6
6. Date of determination	Tuesday, 8 February 2000
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The television advertisement commences with a scene of a motor vehicle being waved down by what appears to be a police random breath test patrol. The male driver says 'I'm stuffed' to his female passenger, as a policeman approaches the car and says 'Good evening sir, we invite you to undergo a voluntary roadside breath analysis as we are led to believe you've been indulging yourself at your local Hog's Breath Cafe'. The driver blows into the unit and the policemen move away to discuss the result. They say 'He's obviously had the fillet beef combo for starters ... That would be the 18 hour slow cooked prime rib steak ... He's even topped up on Mississippi mud cake ... He's full'. They return to the car and one says 'Well, you've enjoyed yourself then, on your way'. The advertisement concludes with the advertiser's details superimposed on the screen as one of the policemen is heard to say 'What a pig'.

## **THE COMPLAINT**

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

*"The commercial makes light of the drink driving issue and subtly restores the 'no consequence' posture of driving while being 'full' ... Further the commercial ridicules the police with the use of the word 'pigs' at the end."*

## **THE DETERMINATION**

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

The Board determined that the advertisement did not contain material that contravened prevailing community standards on safety, noting that the scene in question was presented in a humorous and non-realistic manner. It was also noted that the final words 'What a pig' were said by one of the policemen to describe the driver, rather than the other way around as some complainants had assumed. The Board determined that the advertisement did not breach the Code on this or any other ground and, accordingly dismissed the complaint.