



CASE REPORT

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| 1. Complaint reference number | 479/08 |
| 2. Advertiser | Sunshine Toyota |
| 3. Product | Vehicles |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Race – section 2.1 |
| 6. Date of determination | Wednesday, 26 November 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement for Sunshine Toyota depicts adult men dressed in oriental garments. The characters in the advertisement speak using Asian accents. The commentary in the advertisement tells viewers about the car retailer and the specials available. One of the main characters refers to the other as 'Master' and asks several questions. The Master answers these questions with 'proverbs' while opening what appear to be fortune cookies. As he opens these, viewers are able to read them. Another character is shown practising martial arts. The advertisement ends showing the Master, a proverb and the Sunshine Toyota logo.

THE COMPLAINT

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

It is offensive to all peoples that are from an asian or australian asian origin. It is also offensive to families of children that have been adopted from Asia. It is racist in every way and I hope that after receiving this email that this business is made aware of this and that they should be accountable for this ad. They are making fun of a very rich and traditional culture and this is the second time this business has chosen to market the sale of cars with this pitch. I hope that I am not the only citizen of this country that is voicing their disgust at this advertisement.

THE ADVERTISER'S RESPONSE

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

In response to the above complaint listed below are our comments.

Sunshine Toyota's latest TVC is branding light hearted humour with characters dressed in Oriental themed robes.

- The theme of the ad portrays a master educating his pupils on where to buy a new Toyota vehicle. This concept of advertising has previously been promoted by national and international corporations.*
- The characters in the commercial do not refer to any Asian origin.*
- The marketing concept was designed to highlight the fun experience Sunshine Toyota creates when buying a motor vehicle.*
- The concern regarding the ad being offensive and racist is the complete opposite to the majority of our Asian client's comments.*
- Our customers respond in a positive way and enjoy providing us with scripts for future commercials.*
- There are no racial or offensive references in the TVC.*

- The attached commercial was approved by Free TV (CAD reference attached).

Our latest TVC has received praise from our audience and customers and is a major hit with the majority audience on the Sunshine Coast.

It is in our company interest to prevent any consumer taking offence to our advertising. This ad was distributed to three television networks on the Sunshine Coast and was deemed acceptable to air.

We look forward to your reply after the forthcoming meeting of the Advertising Standards Board.

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 the application of Section 2.1 of the Code, relating to discrimination and vilification. The Board considered the advertisement was in poor taste and used a stereotype of Asian people. However, the Board considered the portrayal was a lighthearted parody, clearly based on characters from movies and recognisable by viewers as such. The Board considered there was no unfavourable treatment of Asian people as a result of the depiction and did not find the depiction discriminated against or vilified the Asian community or any other section of the Australian community. The Board therefore found no breach of Section 2.1 of the Code.

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