



## **CASE REPORT**

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| 1. Complaint reference number | 547/08                                    |
| 2. Advertiser                 | Fish ' n' Bits Bait & Tackle              |
| 3. Product                    | Leisure & sport                           |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Violence Cruelty to animals – section 2.2 |
| 6. Date of determination      | Wednesday, 21 January 2009                |
| 7. DETERMINATION              | Dismissed                                 |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement from Fish n Bits Bait Tackle for pig hunting equipment shows a man holding onto a pig's legs, a dog chasing a pig, shots of equipment available and other pig hunting activities. The voice over lists equipment available. The advertisement ends with the company logo, street and web address.

## **THE COMPLAINT**

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

*I know Feral pigs need to be kept under control but do we need to see the way it is done (which is horrible) on an add on TV for a fishing shop. How is it even relevant to this topic. I find it distressing to watch as pig hunting isnt always done in a professional manner and can be seen as a game to some and in the hands of idiots could be very inhumane. I think it may give immature individuals ideas.*

## **THE ADVERTISER'S RESPONSE**

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

*We are a fishing tackle store as well as a pigging gear supplier thus the relevance to the topic. We took great care in not showing anything that would be distressing to the public.*

## **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 complainants' concerns about the references in the advertisement to pig hunting and considered the application of Section 2.2 of the Code, relating to violence on the basis of cruelty to animals. Section 2.2 provides:

"Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised."

The Board considered that some members of the community would be concerned by reference to 'pigging' on the basis that they objected to this activity, rather than to the advertising of equipment used for this activity.

The Board considered that the footage used of the feral pig hunting showed only a pig being chased

and did not show any footage of an animal being harmed. The Board could not identify any depictions of animal cruelty. The Board agreed that some members of the community may be concerned about the image of the dog chasing a pig - with the end result of that chase imaginable although not depicted. The Board therefore determined that the advertisement did not portray or present "violence", as understood by most members of the community. In any case, the Board noted that the footage used of the pig hunting was directly relevant to the product advertised and therefore justifiable in the context of the product advertised. The Board therefore found no breach of Section 2.2 of the Code.

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