

Case Report

1. Case Number :	0096-23
2. Advertiser :	Makin Mattresses
3. Product :	Retail
4. Type of Advertisement/Media :	Internet
5. Date of Determination	24-May-2023
6. DETERMINATION :	Upheld – Not Modified or Discontinued

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This website advertisement features a cartoon image of a man in a mask putting feathers into a mattress. The mattress has text stating "Shanghai Fine Down Mattress" and the bag of feathers the man is pulling from has text stating "Bird Flu Eradication".



THE COMPLAINT

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

I found the image racist as it insinuates/advises one may be at risk of bird flu by purchasing a mattress manufactured in Shanghai, China.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Advertiser did not provide a response.

THE DETERMINATION

The Ad Standards Community Panel (Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement was racist and offensive to the Chinese community .

The Panel reviewed the advertisement and noted the advertiser's response.

Section 2.1: Advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

The Panel noted the Practice Note to Section 2.1 provides the following definitions:

Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule.

Nationality – people belonging to a particular nation either by birth, origin or naturalisation. This can change over time so, for example, a person born in the United States who becomes a citizen of Australia by marriage may describe their nationality as either/both Australian or/and American.

The Panel considered that casting negative aspersions about the quality of items which are manufactured in a particular country can perpetuate negative stereotypes about the craftsmanship and skill, and in this case trustworthiness, of people in that country and the health and safety of products made there.

The majority of the Panel considered the image to be representative of a clearly negative stereotype that products manufactured by Chinese people are inferior and potentially unsafe.

The Panel considered that the image implied that Chinese people did not produce or were not capable of producing high quality or healthy and safe products. The Panel considered that the advertisement did suggest unfair or less favourable treatment of Chinese people and as such the advertisement did contain material which discriminated against people on the basis of nationality.

Section 2.1 conclusion

Finding that the advertisement did portray material in a way which discriminates against or vilifies a person or section of the community on account of nationality, the Panel determined that the advertisement did breach Section 2.1 of the Code

Finding that the advertisement did breach Section 2.1 of the Code the Panel upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertiser has not provided a response to the Panel's determination. Ad Standards will continue to work with the relevant authorities regarding this issue of non-compliance.