

Case Report

1. Case Number :	0221-23
2. Advertiser :	Pinocchio's Pizza
3. Product :	Food/Beverages
4. Type of Advertisement/Media :	Radio
5. Date of Decision:	11-Oct-2023
6. Decision:	Upheld – Not modified or discontinued

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This radio advertisement features the voiceovers:

Man, making slurping, eating sounds: She loves me. She loves me not.

Woman: What in the name?

Man: I'm just testing your love for me with Pinocchio's buffalo wings, with spicy chilli sauce and a cool ranch dressing.

Woman: Of course I loves you you fool. But not as much as I loves these wings. You get your own now.

THE COMPLAINT

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

I am a Black American male, the advertisement utilised extremely dated and offensive voices of urban Black North Americans (as I heard no Australian accent save for the announcer). It is worth noting that Buffalo Wings are indeed popular with Black Americans, and that they are called Buffalo Wings because they are from Buffalo, New York, USA---a recent location of a mass shooting that was explicitly targeting Buffalo's black community. While the advertiser may not have been aware of the latter, I highly doubt any feigned ignorance of racial stereotyping.

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 DECISION

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

The Panel noted the complainants' concern that the advertisement is racist.

The Panel viewed the advertisement and noted the advertiser had not provided a response.

Section 2.1: Advertising 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 orientation, 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.”*

The Panel further considered that the accent used in the voiceover is exaggerated and unrealistic. The Panel considered that the use of this accent in combination with poor grammar, such as ‘loves’ instead of ‘love’, creates the impression that the people in the advertisement are unintelligent and holds them up as objects of ridicule.

The Panel noted that there is an existing stereotype that negatively associates African American people with loving fried chicken wings, and that this stereotype originated from chicken wings being a cheap source of food for enslaved Black Americans.

The Panel considered that while some people in the Australian community may not be aware of this stereotype, there are many in the community who are aware of the “fried chicken stereotype” and its strong association as a racist trope. The Panel considered that the portrayal in the advertisement, where the woman implies that she loves and values the wings more than her partner also adds to this negative stereotype.

The Panel considered that the exaggerated nature of the accent, poor grammar, and the use of a negative stereotype, collectively creates an impression which is reductive of African American culture, in an attempt at humour, and is racially insensitive.

The Panel considered that the overall effect of these factors is that the advertisement is a negative depiction of African American people and in the view of the Panel such a depiction humiliates, and/or incites ridicule, and is therefore a portrayal which vilifies a section of the community on the basis of race.

Section 2.1 conclusion

The Panel considered that the advertisement did portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race and determined that the advertisement did breach Section 2.1 of the Code.

Decision

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

THE ADVERTISER'S RESPONSE TO DECISION

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