

Case Report

1. Case Number :	0070-24
2. Advertiser :	George Weston Foods
3. Product :	Food/Beverages
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Decision:	20-Mar-2024
6. Decision:	Dismissed

ISSUES RAISED

AANA Food and Beverages Code\2.1 Not misleading or deceptive
AANA Food and Beverages Code\2.2 Healthy Lifestyle/Excess Consumption
AANA Food and Beverages Code\2.3 Unsupported nutritional/health claims

DESCRIPTION OF ADVERTISEMENT

This television advertisement features Sara Todd (Chef, Author, Mum) cooking and packing a lunch box. She says, "wholesome family food is all about keeping things simple. School lunches are no different. Don's sliced meats are my easy-peasy lunchbox favourites. For taste and variety you can't beat. Is Don. Is good."



THE COMPLAINT

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

Celebrity chef Sarah Todd is promoting Dons' processed meats as a "wholesome" lunch option for school children on SBS news stations in the morning. According to the WHO processed meats are classified as carcinogenic group 1. This is the same group as asbestos and cigarettes. I think this advertising is misleading as the definition of wholesome is conducive or suggestive of good health. Clearly these types of food are not conducive to good health and definitely not to be recommended for anyone.

THE ADVERTISER'S RESPONSE

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

As one of Australia and New Zealand's largest food manufacturers, George Weston Foods is committed to being a responsible member of the community.

We appreciate you raising this consumer complaint directly with us regarding our "Sarah Todd" advertisement, so we are able to respond to the concerns raised. We have taken this feedback seriously and always seek to ensure that our marketing communications are accurate and reflect the values of a contemporary Australia.

All DON Smallgoods' advertising complies with the Australian Association of National Advertisers' codes and all TV commercials are approved by ClearAds (formerly CAD) prior to being broadcast.

As with most food products, processed meats should be eaten as part of a healthy, balanced diet. Ham, which is portrayed in the ad, provides essential nutrients such as protein, iron and other micronutrients.

DON Smallgoods which is a member of the Australian Meat Industry Council, supports their recent statement that "Smallgoods products are part of the Australian culinary tradition and culture, and they are enjoyed by many consumers who appreciate their taste, quality, and convenience. They are a source of protein, iron, zinc, and vitamin B12, which are essential for human health. Smallgoods products can be consumed as part of a balanced, healthy and varied diet."

It is worth noting that Smallgoods products comply with the Australia New Zealand Food Standards Code.

DON recognises the need for Australians to make nutritious food choices and as such, all DON Smallgoods products provide full nutrition and ingredient labelling to ensure consumers can make informed choices about the foods they eat to ensure they are eating a balanced diet.

We appreciate the opportunity to provide a response in this matter. We have the utmost respect for the Ad Standards process and look forward to the Community Panel's decision.

THE DECISION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches the AANA Food and Beverages Advertising Code (the Food Code).

The Panel noted the complainant's concerns that the advertisement is misleading by suggesting that the product is "wholesome".

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

Section 2.1 Advertising for Food or Beverage Products must not be misleading or deceptive or likely to mislead or deceive.

The Panel noted the complainant's concern that the advertisement is suggesting that processed meats are healthy.

The Panel noted the advertiser's response that its smallgoods products comply with the Australia New Zealand Food Standards Code (FSANZ).

The Panel noted that Australian Dietary Guideline 3 suggests that intake of processed meat should be limited and are in the 'discretionary foods' category as: "Processed and cured meats can be high in added salt and saturated fat and are not recommended as substitutes for unprocessed meat."

(<https://www.nhmrc.gov.au/file/10001/download?token=0f-SfTH2>).

The Panel considered that the advertisement makes a reference to wholesome family food generally, not that the processed meat products specifically are wholesome or healthy. The Panel noted that FSANZ does not include a definition of 'wholesome'.

The Panel noted that the advertisement depicts the processed meat product in combination with various other foods including breads, salad, fruit and as a component of baked goods.

The Panel noted that there was no suggestion that the product should be consumed in quantities outside of Australian Dietary Guidelines. The Panel considered that there was no requirement that advertisers of processed meats make any statements regarding the product being potentially a carcinogen, and that failure to include this statement is not misleading or deceptive.

Section 2.1 Conclusion

The Panel determined that the advertisement was not, and was not designed to be, misleading or deceptive and did not otherwise contravene Prevailing Community Standards, and did not breach Section 2.1 of the Food Code.

Section 2.2 Advertising for Food or Beverage Products must not undermine the importance of healthy or active lifestyles nor the promotion of healthy balanced diets or encourage what would reasonably be considered to be excess consumption through the representation of product/s or portion sizes disproportionate to the

setting/s portrayed or by means otherwise regarded as contrary to the Australian Dietary Guidelines.

The Panel noted the complainant's concerns that the product itself is inherently unhealthy.

The Panel acknowledged that some members of the community would prefer products of certain nutritional status not be advertised, however considered that the depiction of these products is not by itself a depiction which undermines the importance of healthy balanced diets.

The Panel noted the setting portrayed: a parent is making a variety of lunch products for her child. The Panel considered that there is no suggestion that the amount of processed meat she included would be in excess of what should be reasonably consumed by the people depicted, and considered that it was not disproportionate to the settings.

Section 2.2 Conclusion

The Panel determined that the advertisement did not undermine the importance of healthy or active lifestyles nor the promotion of healthy balanced diets, or encourage what would reasonably be considered to be excess consumption through the representation of portion sizes disproportionate to the setting portrayed. The Panel determined the advertisement did not breach Section 2.2 of the Food Code.

Section 2.3 Advertising for Food or Beverage Products that include what an Average Consumer might interpret as a Health Claim or Nutrition Content Claim must be supportable by appropriate scientific evidence meeting the requirements of the Australian Food Standards Code.

The Panel noted the use of the term 'wholesome' and considered whether it was a Health Claim or Nutrition Content Claim. The Panel noted that the Australian Food Standards Code does not have a definition of the term 'wholesome'.

The Panel considered that 'wholesome' was a broad claim which would be interpreted differently by different people, and did not meet the definitions of being a health or nutrition claim.

Section 2.3 Conclusion

The Panel considered that the advertisement did not contain a statement which the average consumer may consider a health or nutrition content claim, and did not breach Section 2.3 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of the Food Code the Panel dismissed the complaint.