

Case Report

1. Case Number :	0157-24
2. Advertiser :	Mrs Mac's
3. Product :	Food/Beverages
4. Type of Advertisement/Media :	Radio
5. Date of Decision:	19-Jun-2024
6. Decision:	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

AANA Code of Ethics\2.2 Exploitative or Degrading

DESCRIPTION OF ADVERTISEMENT

This radio advertisement features a voice-over that says the following:

"Yeah, there's a lot of new tarts on the street, and it's true, my eyes may have wandered, but I'll tell you now I have always stayed true to my missus. Yep. Mrs Macs Pies."

He then goes on to describe the products.

THE COMPLAINT

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

Uses degrading innuendos towards women for comedy

Perpetuates toxic masculinity and that women are disposable

THE ADVERTISER'S RESPONSE

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

The radio ad features a male character expressing his enduring brand loyalty to Mrs Mac's range of bakery products.

He talks about being tempted by other bakery items. He then talks about the product features of a Mr's mac's pie that keeps him loyal.

Finishing the advertisement with the long-standing tagline, if it's not a Mrs Mac's take it back!

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 complainant's concerns that the advertisement was degrading towards women

The Panel viewed the advertisement and noted the advertiser's 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 noted the Practice Note to Section 2.1 states:

“A negative depiction of a group of people in society may be found to breach Section 2.1, even if humour is used. The depiction will be regarded as a breach if a negative impression is created by the imagery and language used in the advertisement of a person or group of people on the basis of a defined attribute listed above. Advertisements can humorously or satirically suggest stereotypical aspects of a group of people in society provided the overall impression of the advertisement does not convey a negative impression of people of that group on the basis of one or more of the attributes listed above.”

The Panel considered that the first impression of the line “there's a lot of new tarts on the street”, was that the man was talking about women in a derogatory and sexualised manner. However, the Panel considered that while the double entendre was clearly intended it immediately became clear that the man was talking about pastries.

The Panel considered that the advertisement was vulgar and in poor taste and that many in the community would consider that the time for advertisements of this kind was well past.

The Panel considered however that the innuendo in the advertisement did not directly pass derogatory and sexist judgment on women in general, or compare women to pastries, and did not show women to receive unfair or less favourable treatment.

The Panel considered that the innuendo in the advertisement did not humiliate, intimidate, incite hatred, contempt, or ridicule women.

Section 2.1 conclusion

The Panel found that the advertisement did not breach Section 2.1 of the Code.

Section 2.2: Advertising shall not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people.

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body parts where this bears no direct relevance to the product or service being advertised. Degrading – lowering in character or quality a person or group of people.

Does the advertisement use sexual appeal?

The Panel considered that the first impression of the line “there's a lot of new tarts on the street”, was that the man was talking about women in a sexualised manner. However, the Panel considered that while the double entendre was clearly intended it immediately became clear that the man was talking about pastry and not women. The Panel considered that while the advertisement uses innuendo, it does not contain sexual appeal.

Section 2.2 conclusion

Finding that the advertisement did not contain sexual appeal, the Panel concluded that the advertisement did not breach Section 2.2 of the Code.

Conclusion

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