

Case Report

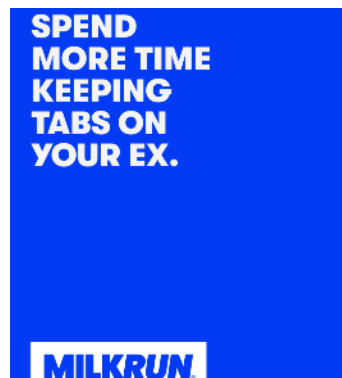
1. Case Number :	0021-25
2. Advertiser :	MILKRUN Delivery Pty Limited
3. Product :	Professional Service
4. Type of Advertisement/Media :	Internet - Social - Facebook
5. Date of Decision:	5-Feb-2025
6. Decision:	Upheld – Modified or Discontinued

ISSUES RAISED

AANA Code of Ethics\2.3 Violence
AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This Facebook advertisement features a blue background with white text and a voice-over reading the text "Spend more time keeping tabs on your ex. And less time grocery shopping. Get over 10,000 groceries delivered in minutes with milk run, plus free delivery on your first three orders. Download today".



THE COMPLAINT

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

I am of the opinion that the ad promotes and supports domestic violence and is far from being appropriate.

Rates of DV are increasing and a lot of the perpetrators "keep tabs on" or "stalk" their ex partners.

I feel the ad is very insensitive to this issue.

I am also extremely disappointed in Woolworths (who Milkrun is part of) as they sprung themselves as being "a family-oriented company and we want to assist customers who are faced with domestic and family violence." And a quick internet search shows how Woolworths has actively supported those suffering DV.

THE ADVERTISER'S RESPONSE

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

We refer to your letter dated 14 January 2025 in relation to the complaint received by Ad Standards (the Complaint) regarding the MILKRUN advertisements provided as attachments to this advertiser response (the Advertisements).

MILKRUN takes its advertising obligations seriously and appreciates the opportunity to provide comments to the Community Panel for consideration.

We have investigated the Complaint and provide our comments below.

1. The Advertisements

The Advertisements subject to the Complaint were published on Facebook and included the below copy and voiceover:

a. Copy: "Spend more time keeping tabs on your ex and less time grocery shopping. 10,000+ groceries delivered in minutes. Free delivery on your first 3 orders."

b. Voiceover: "Spend more time keeping tabs on your ex and less time grocery shopping. Get over 10,000 groceries delivered in minutes with MILKRUN. Plus, free delivery on your first 3 orders. Download today."

2. Issues raised in the Complaint

The complainant has alleged that the Advertisements promote and support domestic violence. Your letter has identified that the complainant's concerns are relevant to the AANA Code of Ethics Section 2.3 (Violence) and Section 2.6 (Health and Safety).

3. MILKRUN's response

MILKRUN submits that the Advertisements do not breach the AANA Code of Ethics, including Section 2.3 or Section 2.6, for the following reasons:

a. The Advertisements do not portray any violence;

b. The Advertisements do not support or otherwise encourage any violence;

- c. The Advertisements do not portray any unhealthy or unsafe behaviours; and*
- d. The Advertisements do not support or otherwise encourage any behaviours that are overtly unhealthy or unsafe.*

On this basis MILKRUN believes it has met its AANA Code of Ethics obligations to not present or portray violence, and to not depict material contrary to Prevailing Community Standards on health and safety, in its advertising materials.

Furthermore, MILKRUN understands the Community Panel takes into consideration a broad view of the actual audience when making decisions on whether an advertisement has breached the AANA Code of Ethics. MILKRUN contends that the target audience of the Advertisements, being Facebook users, would not consider that the Advertisements promote domestic violence. Rather, MILKRUN believes that the target audience would interpret the Advertisements as being a lighthearted and tongue-in-cheek way to promote our grocery delivery service offering, particularly as Facebook users inherently understand that a common use of Facebook is to stay updated on what other users independently choose to publicise through their use of the platform. In the usual sense of the phrase and in the context of using a social media platform, MILKRUN does not believe that to “keep tabs on” someone equates to or otherwise promotes malicious or harmful behaviour towards another person.

Notwithstanding this, MILKRUN has considered the complainant’s concerns and has removed the Advertisements as at 15 January 2025.

4. MILKRUN’s Request

For the reasons outlined above, MILKRUN respectfully submits that the Complaint should be dismissed on the basis that it does not breach any of the applicable AANA Codes.

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 concern that the advertisement presents “stalking” behaviours that promote and support domestic violence.

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

Section 2.3: Advertising shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

Does the advertisement contain violence?

The Panel considered that domestic and partner violence is an issue of considerable concern to the community. The Panel noted the advertiser's response that most Facebook users would not interpret the advertisement as being suggestive of domestic violence.

The Panel considered that recent public awareness campaigns have targeted coercive control and behaviours which are not appropriate in a relationship. The Panel considered that while the phrase "keep tabs on your ex" could be innocuous, without further context it could also be seen to reflect abusive and controlling behaviours towards an ex-partner.

The Panel considered that the behaviour described in the advertisement could be interpreted as controlling and abusive and a form of domestic violence. The Panel considered that the advertisement does depict or suggest violence.

Is the violence justifiable in the context of the product or service advertised?

The Panel noted the Practice Note for this section of the Code which states

"Although the depiction of violence in an advertisement may be relevant to the story being told in the advertisement, any violence must also be justifiable in the context of the product being advertised, or else will be in breach of this section of the Code."

The Panel considered that the advertised product is grocery delivery, and the suggested violence in the advertisement was not justifiable in the context of promoting this product.

Section 2.3 Conclusion

The Panel concluded that the advertisement did breach Section 2.3 of the Code.

Section 2.6: Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.

Consistent with the reasoning under Section 2.3 above, the Panel considered that the advertisement suggested behaviour which was indicative of stalking, controlling and/or abusive behaviour towards an ex-partner.

The Panel considered that the advertisement did contain material contrary to Prevailing Community Standards on health and safety.

Section 2.6 Conclusion

The Panel considered that the advertisement did breach Section 2.6 of the Code.

Conclusion

Finding that the advertisement breached Sections 2.3 and 2.6 of the Code the Panel upheld the complaint.

THE ADVERTISER'S RESPONSE TO DECISION

We confirm that the advertisements subject to complaint were removed on 15 January 2025 and that we will not be republishing them.