

Case Report

1. Case Number :	0033-25
2. Advertiser :	Meat & Livestock Australia
3. Product :	Food/Beverages
4. Type of Advertisement/Media :	Internet - Social - Other
5. Date of Decision:	19-Feb-2025
6. Decision:	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This social media advertisement features two characters taking a photo of a freshly groomed dog, and then uploading that photo to social media. We see a person sitting amongst a crowded bleacher under a banner which reads "THE COMMENTS SECTION". Members of the crowd start making comments regarding the groomed dog. The text "THIS FILM WAS MADE WITH 100% REAL ONLINE COMMENTS" appears.

The advertisement depicts a number of similar scenarios which include: wind farms, the Earth seen from space, an AI-generated Kochie on a beach, a person making tea, and a dancer's performance on a large stage.

In the scene showing a woman pouring tea, commenters say:

"Milk before tea? This is a crime"

"Same with cereals, milk first"

"You are a psycho".

Eventually, one character says "there has got to be something that unites us". Sam Kerkovich appears on the screen manning a barbeque. The crowd, encouraged by Sam, decides to "get out of the comments and into the cutlets".



THE COMPLAINT

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

#2025LambAd - australia day lamb ad I saw on Meat and Live stock australia via Linked in

At 1 minute and 55 seconds into the ad, the phrase “you are a psycho” is used in a context meant to critique someone’s preference for adding milk before tea or cereal. While this might be intended as humor, it constitutes verbal abuse by labeling someone in a derogatory way. The ad also claims to draw from real comments, which, from an ethical standpoint, raises concerns about shallow thinking and irresponsibility.

Using mental health-related terms as casual insults perpetuates harmful stereotypes, trivializing serious conditions like psychosis. This reinforces stigma and contributes to a culture where mental health struggles are misunderstood or dismissed. Brands have a responsibility to promote inclusivity and avoid language that could alienate or harm viewers, especially when such language normalizes derogatory labels.

From an ethical perspective, the choice to include this phrasing reflects a lack of sensitivity to the broader implications of how mental health is portrayed in media. The reliance on “real comments” does not justify amplifying harmful language, as creative decisions should prioritize empathy and awareness. While the intention might have been humor, the outcome risks alienating audiences and undermining progress in mental health advocacy.

THE ADVERTISER’S RESPONSE

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

The advertisement opens on a scene featuring two characters taking a photo of a freshly groomed dog, and then uploading that photo to social media. Immediately, a voice is heard calling out with their commentary to the scene and the camera cuts to a person sitting amongst a crowded bleacher under a banner which reads “THE COMMENTS SECTION”. Other members of the crowd start proclaiming their own comments regarding the groomed dog. The voices of the crowd build and layer on top of each other and the crowd’s arguments continue to escalate. Then, the screen freeze frames and a big super appears on the top which reads “THIS FILM WAS MADE WITH 100% REAL ONLINE COMMENTS”.

The super disappears, and the advertisement jumps to its next scene, a wind-farm, the crowded bleachers are also there. Members of the crowd proclaim commentary on the wind-farm. The advertisement moves through a number of similar scenarios, as members of the crowd continue to comment, with increased fervour, on various scenes before them,

which include: the Earth seen from space, an AI-generated Kochie on a beach, a person making tea, and a dancer's performance on a large stage.

Eventually, one character says "there has got to be something that unites us". Sam Kerkovich appears on the screen manning a barbeque on a grassy lawn and begins to walk towards the crowd whilst holding a lamb cutlet with tongs. The crowd's attention now begins to focus on Sam and the lamb, a member of the crowd eats some lamb and gives an approving thumbs-up. In response, the crowd, encouraged by Sam, decides to "get out of the comments and into the cutlets" – the characters which previously formed part of the crowd on the bleachers labelled as "THE COMMENTS SECTION" are now all partaking in a lamb barbeque and getting along.

The moment of the ad referenced in the complaint only appears in the digital version, which was shown on YouTube, social media including Facebook and Instagram, and shared on LinkedIn. The version shown on FTA TV and TV on demand was a shorter, cut-down version which did not feature the moment referenced in the complaint.

Response to Complaint

We refer to your correspondence dated 30 January 2025 concerning a complaint received in response to an advertisement for Australian lamb run by Meat & Livestock Australia Limited (MLA).

We are grateful for the opportunity to respond to the complaint and, after detailed consideration, respectfully submit that the complaint should be dismissed for the reasons provided below.

At the outset, MLA would like to make clear that it is a responsible advertiser with a comprehensive review process in place for all advertisements. MLA is committed to undertaking its promotional activities with integrity, in compliance with its obligations, and responsibly. MLA would never seek to degrade, vilify or mock those with mental illness. MLA is committed to inclusivity and consistently communicates that in its advertisements – indeed, this advertisement's key message is centred on uniting Australians and features a diverse cast.

The advertisement is directed to a general audience and is not primarily directed to children. A detailed media schedule can be provided if required.

The complainant argues that the use of the phrase "you are a psycho" vilifies those with mental illness, in contravention of Section 2.1 of the AANA Code of Ethics.

Section 2.1 prohibits advertisers from portraying people or depicting 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. MLA submits that the advertisement does not breach Section 2.1 of the Code of Ethics for the following reasons.

A. “Psycho” has a colloquial meaning

MLA understands that, in certain contexts, the term “psycho” can unfortunately be used as a derogatory term for those with mental illnesses or disability. However, the term “psycho” also has a separate more common colloquial meaning, which refers to those with far-fetched or unreasonable views. MLA submits that the context in which the term is used in the advertisement informs the likely meaning which will be ascribed by Australian consumers.

The MLA summer lamb campaigns are always highly anticipated, and renowned for their satirical and humorous tone. This year’s campaign is no exception and follows the same light-hearted style: the advertisement is humorous, accessible, uses colloquial language and reflects Australian culture. This year’s advertisement is premised on the toxicity of social media commentary and how online toxicity can be overcome through unity. Internet culture (and therefore internet slang and colloquialisms) is central to the advertisement.

The tone of the advertisement, as well as the Australian community’s familiarity with the nature of MLA summer lamb campaigns, is important context which informs the way in which consumers will understand the advertisement. This includes the phrase “you are a psycho”, which, when considering the wider context of the advertisement, will be understood in its colloquial connotation.

“Psycho” is a commonly used colloquial phrase. In fact, the Panel has previously noted that the term “psycho” is a colloquial expression used to refer to persons of disagreeable nature, emotion or behaviour, rather than to persons actually suffering psychosis (see Panel determination 0147/15 <https://adstandards.com.au/wp-content/uploads/2023/08/0147-15.pdf>). In the context of the humorous nature of the advertisement, viewers will not understand the use of the term “psycho” as a derogatory reference to persons living with mental illness or disability, but only in accordance with its colloquial meaning.

The phrase is directed towards a young person in response to them stating their opinion on the correct order of pouring milk and cereal into a bowl: this is a common debate on the internet, and one that is understood not to be serious or in any way connected to mental illness. Therefore, as the advertisement does not convey any message about mental illness or psychiatric issues, most members of the community would interpret the advertisement as using the term in its colloquial (and humorous) sense rather than making a reference to mental health (see Panel determination 0154-23 <https://adstandards.com.au/wp-content/uploads/2023/08/0154-23.pdf>).

B. Criteria set out in the AANA Practice Note

Of course, MLA understands that an advertisement can breach the code notwithstanding the use of humour. As stated in the AANA Code of Ethics Practice Note:

- 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 those with disabilities or mental illness.*
- 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 their mental illness or disability.*

Whilst the complained advertisement goes for 3 minutes and 15 seconds, the complained phrase spans only 2-3 seconds of the advertisement and the phrase “you are a psycho” is included amongst a series of outrageous statements regarding various matters. In these circumstances, it is difficult to see how inclusion of the term “psycho” has a significant impact on the overall impression of the advertisement.

Moreover, in any event, MLA does not consider that the advertisement leaves a “negative impression” of those with disabilities or mental illness, as most members of the Australian community would not (for the reasons outlined in section A of this response) understand the use of the term “psycho”, in this context, to be a reference to a person experiencing disability or mental illness.

For these reasons, MLA believes that the advertisement does not meet the criteria for breach of section 2.1 of the Code of Ethics, as it does not meet the criteria set out in the relevant practice note.

C. Comparison to other Panel decision

Additionally, this advertisement can be distinguished from the advertisement discussed in Panel determination 0036-22 (https://adstandards.com.au/wp-content/uploads/2023/08/0036-22_0.pdf), which discussed an advertisement which used the term “mental” (which has its own colloquial meaning). In that decision, the Panel found that use of the word “mental”, when used in combination with the image of a person in the straitjacket, relied on negative stereotypes of mentally ill people and therefore breached the Code of Ethics. This is different to use of the term “psycho” in MLA’s lamb advertisement for a number of reasons:

- In 0036-22, there was a clear connection between the word “mental” and a reference to persons suffering with mental illness. In contrast, MLA’s lamb advertisement draws no connection between the term “psycho” and mental illness.*
- In 0036-22, the central premise of the advertisement was the depiction of a person in the straitjacket, used in combination with the term “mental” – this meant that,*

to the extent that the advertisement was humorous, any humour was invariably drawn from the reliance on the negative stereotypes society has of people suffering mental illness. However, in MLA's advertisement, there is no humour specifically derived from the use of the term "psycho" – the humour is instead derived from a series of exaggerated and disproportionate statements/arguments, of which "you are a psycho" is just one.

D. The advertisement does not breach Section 2.1

MLA submits that the advertisement does not discriminate against (that is, show unfair or less favourable treatment towards) or vilify (that is, humiliate, intimidate, incite hatred towards, show contempt towards or otherwise ridicule) those with mental illnesses or disability, as the advertisement does not refer to those with mental illnesses or disability.

Instead, it uses the term "psycho" which, in the context of a humorous and light-hearted advertisement that uses colloquial language throughout, refers to persons with far-fetched or unreasonable views.

E. The advertisement does not breach Section 2.6

MLA also submits that the advertisement complies with Section 2.6 of the Code of Ethics, which prohibits advertising from depicting material contrary to Prevailing Community Standards on health and safety.

Whilst MLA is not aware of complaints which argue that the advertisement breaches Section 2.6, MLA would like to take the opportunity to proactively address any concern that the advertisement depicts bullying in a manner which is contrary to prevailing community standards.

- Whilst the advertisement does feature toxic behaviour exhibited by members of the crowd exchanging comments, MLA considers that this behaviour does not amount to bullying as the comments are not directed to any one person, or group of people – comments are made by, and directed towards, various members of the crowd. There is no actual or perceived power imbalance between the crowd members. Whilst the interactions between members of "THE COMMENTS SECTION" are not to be aspired towards, the interactions do not go so far as to amount to bullying.*
- The Code of Ethics Practice Note states that more care must be taken when the people depicted in an advertisement are minors if there is an unequal relationship between the people in the advertisement (eg, student and teacher, manager and worker etc). There are no such power imbalances depicted in this advertisement.*
- The overarching narrative of the advertisement is the importance of Australians coming together in real life, rather than living in the world of online commentary which can be unnecessarily argumentative, no matter how trivial the topic. The advertisement is clear to criticise the toxic nature of comment-section interactions, and offers getting together over an Aussie lamb barbeque as an alternative. The Code of Ethics Practice Note makes clear that Section 2.6 is not intended as a*

means to demonstrate potential negative effects of poor behaviour. MLA submits that, to the extent that the commentary between the commentators is not healthy, the advertisement demonstrates the potential negative effects of participating in toxic online commentary culture.

For the reasons outlined above, MLA considers that the advertisement does not depict content that would encourage or condone unhealthy or unsafe social interactions in such a manner that is contrary to prevailing community standards.

Additionally, whilst Kochie is depicted with an altered and unrealistic image of his body. The body depicted in the advertisement is clearly an exaggerated edited image of a body. Moreover, when the advertisement cuts to the scene featuring the exaggerated body, a character exclaims “that’s AI”. It is clear from the advertisement that the body depicted is not realistic, and should not be considered as aspirational. The exaggerated and unrealistic nature of the body is consistent with the wider tone of the advertisement which is humorous, exaggerated, and includes surreal scenes throughout. Accordingly, MLA argues that the inclusion of an AI-generated shirtless Kochie does not breach Section 2.6 of the Code of Ethics by encouraging consumers to aspire towards unrealistic body standards.

F. The advertisement does not otherwise breach the AANA codes

For completeness, MLA further submits that the advertisement complies with the remainder of Section 2 of the Code of Ethics in its entirety, as well as the entirety of the Food & Beverages Code.

In view of the above, we consider the complaint should not be upheld.

Thank you for taking the time to consider our response. We look forward to receiving the Panel’s determination in this matter.

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 depicts discrimination or vilification of mental illness.

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.*
- *Disability – a current, past or potential physical, intellectual, psychiatric, or sensory illness, disease, disorder, malfunction, malformation, disfigurement or impairment, including mental illness*

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 noted that there is greater awareness of mental health issues in Australia, and that jokes at the expense of the mentally ill were out of date and no longer acceptable.

A minority of the Panel considered that the term ‘psycho’ was a derogatory term for someone who is experiencing mental illness and considered that the use of the term adds to existing negative stigmas and is vilifying of people with a mental illness.

The majority of the Panel, however, considered that the term is not used in reference to someone who is mentally ill, and is used in the colloquial context of describing someone who is behaving in an unexpected way. The Panel considered that most members of the community would not interpret the advertisement as discriminating against or vilifying a person or section of the community on account of mental illness.

Section 2.1 conclusion

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

Conclusion

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