

## Case Report

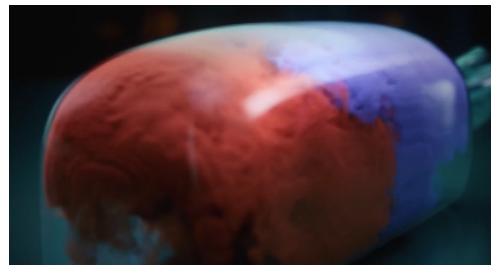
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|----------------------------------|-----------------------------------|
| 1. Case Number :                 | 0057-25                           |
| 2. Advertiser :                  | Bakers Delight Holdings Pty Ltd   |
| 3. Product :                     | Food/Beverages                    |
| 4. Type of Advertisement/Media : | TV - Free to Air                  |
| 5. Date of Decision:             | 5-Mar-2025                        |
| 6. Decision:                     | Upheld – Modified or Discontinued |

### ISSUES RAISED

AANA Food and Beverages Code\2.1 Not misleading or deceptive

### DESCRIPTION OF ADVERTISEMENT

This television advertisement features a bag in the shape of a loaf of bread being filled with red and blue liquid. A voice-over says, "Some supermarket aisle loaves can be pumped full of preservatives, so it would seem its wellbeing is more important than yours. Bakers Delight Hi Fibre Lo Gi White Bread hasn't a preservative in sight.'



### THE COMPLAINT

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

*After seeing this advertisement one time my children became upset and stressed, and they now refuse to eat loaf bread. This is also now extending to them investigating all bread products, like hot cross buns.*

*With bread a dietary staple I don't think this portrayal is appropriate. It resembles a smoking quit ad which is designed to shock. This level of fear mongering for bread is unnecessary in terms of associated health risk and is risking unintended consequences of food refusal.*

## **THE ADVERTISER'S RESPONSE**

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

*Commercials which comply with the G classification criteria in Appendix 1 of the Code of Practice and provided the content is very mild in impact and does not contain any matter likely to be unsuitable for children to watch without supervision.*

## **SUBSTANTIATION OF CLAIMS**

*Regarding the line;*

*'Some supermarket aisle loaves can be pumped full of preservatives.'*

*Many supermarket breads contain preservatives, for example, these are just a few products commonly available in supermarket that contain emulsifiers as preserving agents: Woolworths White Soft Hi-Fibre Bread, Wonder White Bread Vitamins & Minerals Toast, Tip Top The One White Toast Slice Bread Loaf Bakery, Abbott's Bakery Rustic White Bread Sandwich Slice Loaf & Helga's Traditional White Bread, just to name a few.*

*Regarding the line;*

*'So it would seem its well being is more important than yours'*

*Preservatives are used to improve texture, enhance stability, and extend shelf life of the product itself. The potential risks of preservatives to human health however, are widely know and discuss in numerous articles such as this:*

*<https://www.theguardian.com/lifeandstyle/2023/jun/29/the-truth-about-emulsifiers-gut-health-microbiome>*

*There are many studies referenced in the article, for example, 2015 paper by Benoit Chassaing at Université Paris Cité, "he found that the mice consuming the emulsifiers had dramatic changes to the diversity of their bacteria. They had a reduction in the number of different types of bacteria in the gut. We don't think that is a good thing to happen to your gut microbiome."*

*Scientific studies, news reports and articles looking at the potential health effects of preservatives are widespread in today's culture, contributing to the general understanding and broad awareness that it's likely beneficial to minimise the consumption of ultra-processed foods and many preservatives where possible.*

*Even so, the commercial is not attributing negative effects of preservatives to humans, but instead clearly stating that they are there for the bread not for the consumer.*

*Regarding the line;*

*'Bakers Delight Hi Fibre Lo Gi White Bread hasn't a preservative in sight'*

*Below is our ingredients list which does not include preservatives.*

*Wheat Flour, Water, Thickener (1412), Gluten, Vegetable Gum (412), Iodised Salt, Yeast, Soy Flour, Vitamins (Folic Acid, Thiamin).*

*We note the complaint references gases, however it is liquid depicted. Common industrial food preservatives are liquid or powder.*

#### **AUDIENCE**

*We note the complaint had concern around children viewing the ad however it wasn't seen during children's programming.*

*We target our media buy toward female household primary grocery buyers aged 25-55 and do not buy into children's programming.*

#### **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 concern that the fear mongering in the advertisement is unnecessary.

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

**Food Code 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 Practice Note for this Section of the Code includes:

*"In determining whether advertising for food or beverage products is misleading or deceptive or likely to mislead or deceive, the Community Panel will consider the likely audience for the advertising, including whether the advertisement is directed at the public at large or a more targeted audience. The Community Panel will consider whether or not an Average Consumer*

*within the target audience would have been misled or deceived or likely to be misled or deceived by the advertisement.”*

A minority of the Panel considered that the visuals of the advertisement are representing a factual claim that supermarket loaves contain preservatives, in comparison to the advertiser’s products. The minority of the Panel considered that this was not misleading or deceptive.

The majority of the Panel, however, considered that the phrase “its wellbeing is more important than yours” would most likely be interpreted by an average consumer in a target market as stating that preservatives in supermarket bread are bad for your wellbeing.

The Panel noted the advertiser’s response that the advertisement is not attributing the negative effects of preservatives to humans, instead stating they are there for the bread not the consumer.

The Panel considered that the main role of preservatives in bread is to inhibit mould, and this function is for the wellbeing of the consumer. The Panel considered that food preservatives are regulated by Food Standards Australia and New Zealand, and most consumers would trust that these regulations would align with consumer wellbeing.

The Panel considered that the claim that supermarket bread contained preservatives which are harmful to consumer wellbeing is misleading or deceptive, or likely to mislead or deceive.

## **Section 2.1 conclusion**

The Panel concluded that the advertisement did breach Section 2.1 of the Food Code.

## **Conclusion**

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

## **THE ADVERTISER’S RESPONSE TO DECISION**

We have noted the Panel’s judgement that the phrase used in the voiceover ‘its wellbeing is more important than yours’ may be interpreted by an average consumer that preservatives in supermarket bread are bad for ones wellbeing. We have also noted that the Panel considered the main role of preservatives in bread to inhibit mould, a function for the wellbeing of the consumer.

Therefore, it was decided by the Panel that this advertisement breaches Section 2.1 of the Food Code.

In response to the ruling, we [will] change the voice over to remove line *'it's wellbeing is more important than yours'*.

The original voice over says:

Some supermarket aisle loaves can be pumped full of preservatives, so it would seem its wellbeing is more important than yours.

Bakers Delight Hi Fibre Lo-Gi White Bread hasn't a preservative in sight.

Our [...] alternative voice-over is:

Some supermarket aisle loaves can be pumped full of preservatives.

So they can last an extra long time on the shelves.

At Bakers Delight, our Hi Fibre Lo-GI white bread hasn't a preservative in sight.

By changing the voice over it enables us to match the visual representation, and state the factual claim that supermarket loaves contain preservatives, in comparison to Bakers Delight products.

We also make the link to preservatives' function being to inhibit mould and therefore increase shelf life, contrasting the Bakers Delight product that is baked fresh daily with no preservatives.

By making these changes, we are no longer making a link between consumer wellbeing and preservatives but instead focusing on the contrast of supermarket aisle products and our own.

We would also like to confirm that the TVC is not currently on air and is next due to run w/c 27th April. [...] it will be updated before it's seen on air again.