

Case Report

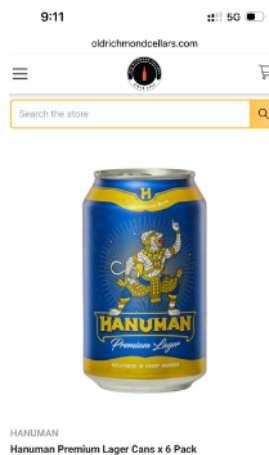
1. Case Number :	0103-25
2. Advertiser :	Old Richmond Cellars
3. Product :	Alcohol
4. Type of Advertisement/Media :	Internet
5. Date of Decision:	7-May-2025
6. Decision:	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This advertisement is a product listing on a website and features a can of lager with an image of the Hindu deity Hanuman and the words "Hanuman Premium Lager" on the front. Underneath the image, the text "Hanuman Premium Lager Cans x 6 Pack" is also featured.



THE COMPLAINT

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

This is in regards of use of "Hanuman" in branding of beverages like beer and sale in Australia. I am writing to express my deep concern regarding the use of the name "Hanuman" for beer products. Hanuman is a revered deity in Hinduism, symbolizing

devotion, strength, and purity. Associating such a sacred figure with alcohol not only undermines the spiritual significance of Hanuman but also deeply hurts the sentiments of 1.2 billion Hindus across the globe and ~700k Hindus living in Australia. Seeing a beer product with my God's name and picture on it deeply hurts my feelings and my faith. Faith and cultural respect are integral to harmonious coexistence. Hence, I urge you to raise this issue seriously with the brand owner and advise them to use words which do not conflict with anyone's religious beliefs.

THE ADVERTISER'S RESPONSE

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

The product sales on the our website shows an accurate product image of the product being sold.

It's a sellers responsibility to accurate show the product as it is online, the product name and the accurate product image as provided by the manufactures.

Any concerns about the product itself and product packaging this we believe should be raised with the manufacture of the product themselves.

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 is offensive to the Hindu community.

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 noted the advertisement was a listing for a product on the advertiser’s website. The Panel noted that the product was an imported beer from Cambodia, and the design was not within the seller’s control. The Panel considered that community expectation would be that a retailer show an image and an accurate description when selling the product online, and the depiction of this product was in line with that.

The Panel acknowledged that advertisers should take care when referencing religious figures in advertising as such depictions can offend segments of the community. However, the Panel considered that the use of the product name and packaging on a website was unlikely to reach a level that would incite hatred, contempt, or ridicule towards Hindus, or suggest they are deserving unfair or less favourable treatment. The Panel considered that the advertisement did not discriminate against or vilify a group of people on the basis of religion.

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.

ABAC

The Panel noted that advertisements about alcohol products may be considered against the provisions of the AANA Advertiser Code of Ethics as well as the Alcohol Beverages Advertising Code Scheme (ABAC). The Panel noted that complaint/s in this case were referred to ABAC for assessment. The Panel noted that the ABAC Responsible Alcohol Marketing Code (ABAC Code) is an alcohol specific code of good marketing practice and has specific standards which apply to the promotion of alcohol products. The Panel further noted that it can only consider complaints about alcohol advertising under the concept of prevailing community standards as set out by the AANA Code of Ethics. The Panel noted that the advertisement may be considered by the ABAC Chief Adjudicator or the ABAC Adjudication Panel applying the ABAC Code, as well as this determination under the Code of Ethics.

