



CASE REPORT

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| 1. Complaint reference number | 91/09 |
| 2. Advertiser | Red Bull Aust Pty Ltd |
| 3. Product | Beverage |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Race – section 2.1 |
| 6. Date of determination | Wednesday, 8 April 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

Cartoon style television advertisement showing a red teepee and a blue teepee on opposite sides of a wide ravine. Red teepee represents a male and blue teepee represents a female. Smoke signals are sent from each side of the ravine which detail that the male and female could not meet. Each details how they cannot cross the divide “Brown Bear cannot leap that far” and “White Dove cannot fly”. Both characters express their connection in spirit only. Voice over and screen graphic say “No Red Bull, No Happy Ending”.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

This advertisement represents stereotypical racial caricatures of Native Americans that amount to a form of racial vilification. In fact, the entire advertisement is an amalgamation of stereotypes: tipis, smoke signals, images of Native Americans with long hair and a feather in her head, the names of the Native Americans being 'Brown Bear' and 'White Pigeon', and the sounds in the background of Native American war cries. I do not mean to imply that the advertisers necessarily intended to offend Native Americans, but the depiction of such caricatures reinforces stereotypes about a certain culture which simply are not accurate. I know that advertisers often use cultural differences for humor as a form of satire, and I have no problems with such advertisements. But this was not satire, and as such it can be racially offensive. Probably the only reason that the advertisers never questioned such an ad is the fact that Australia would not really have a Native American population. But just to put the impact of this advertisement in perspective -- would the advertiser ever consider doing a similar such advertisement with Australian Indigenous people instead of Native Americans?

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The Red Bull cartoon advertisements have been developed to communicate the energizing effects of Red Bull Energy Drink in a lighthearted way and are not designed to be taken literally or to be an education program for the public. As with most cartoons, the drawings and storylines have been developed over many years with the purpose of communicating a humorous, satirical story or message and not a true life scenario. For example The Simpsons is an animated cartoon whereby the characters are created for their humour and yet not taken so literally.

All of our advertisements are approved by FACTS (Federation of Australian Commercial Television Stations – the industry body which represents Australia's Commercial Free-To-Air Television stations). The advertisements are placed during appropriate television programs and cinema screenings and not those targeted towards children.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code") and the AANA Food and Beverages Advertising and Marketing Communications Code (the "F&B Code").

The Board noted the complainants' concerns that the advertisement racially vilified Native Americans and considered the application of Section 2.1 of the Code, relating to discrimination and vilification on the basis of race.

The Board noted that the advertisement used cartoon depictions of teepees, smoke signals and other visual and audio elements to imply the cartoon characters were Native Americans.

The Board considered the references to stereotypical aspects of Native American culture were light-hearted and intended to be humorous. The Board considered that, while some people may be offended by this depiction, the advertisement did not discriminate against or vilify Native Americans or any other identifiable section of the community. The Board therefore found no breach of Section 2.1 of the Code.

The Board also noted that the advertisement makes a discrete sexual reference in its statements that there is 'no happy ending'. The Board considered this a discrete sexual reference that is appropriate to the timezone and relevant audience for the advertisement and was not in breach of section 2.3 of the Code.

The Board also noted that it found no breaches of the F&B Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.