

COMPLAINT NUMBER	16/380
COMPLAINANT	C Bircher
ADVERTISER	Barfoot & Thompson
ADVERTISEMENT	Barfoot & Thompson Unaddressed Mail
DATE OF MEETING	25 November 2016
OUTCOME	No Grounds to Proceed

Advertisement: The mailbox flyer advertising Barfoot & Thompson real estate, lifestyle/rural sales, showed an image of a cowboy with his arm up in the air riding a bull, rodeo-style. The text next to the image included the phrase “Take the bull by the horns and sell with me today!”

The Chair ruled there were no grounds for the complaint to proceed.

Complainant, C Bircher, said: “On 28 October I received a flyer in my mailbox advertising Barfoot and Thompson services. (image attached) I object to the use of the image of the bull on the flyer, which depicts an act of cruelty to the bull. This breeches the principle that "All advertisements should be prepared with a due sense of social responsibility to consumers and to society." It also breeches advertising rules 4, 5 and 7 regarding decency, offensiveness and promoting violent behaviour. The image of the bull shown on the flyer is of a clearly distressed animal - the white of its eye is showing and its tongue is protruding. Whilst the act of bull rodeo riding is legal in NZ, it is offensive that a depiction of bull riding is being used to advertise a service which has nothing whatsoever to do with rodeo. An image of a distressed tormented animal is instead being used to sell real estate. I appreciate that Barfoot and Thompson wish to make a nice play on words for a common phrase, but it is possible to do this without showing graphic and deliberately imposed animal distress - they could have used an image of a bull looking imposing in a field, or a prizewinning bull with a ribbon on its horns, or any one of a number of other possible images which did not glorify or normalise animal suffering. The bull-riding image trivialises animal distress and also promotes cruelty to animals. It is inappropriate in the context of the advertisement, and I request that Barfoot and Thompson be ordered to change it.”

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 4, Rule 5, Rule 7

The Chair noted the concerns from the Complainant that the advertisement depicts an act of cruelty to the bull and breaches Basic Principle 4 and Rules 4,5 and 7 of the Advertising Code of Ethics.

The Chair took into account that the target audience for the advertisement was likely to be people who are interested in living in a rural setting, and therefore the inclusion of a bull had some relevance and fitted with the play on words. The Chair noted that rodeos are not illegal in New Zealand and advertisements depicting scenes from a rodeo can legally be used.

The Chair ruled that the level of offensiveness or violence in the advertisement did not reach the threshold required to breach Rules 4, 5 or 7 of the Advertising Code of Ethics.

The Chair ruled that the advertisement had been prepared with a due sense of social responsibility to consumers and to society.

Accordingly, the Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed.**