

<b>COMPLAINT NUMBER</b>	18/375
<b>COMPLAINANT</b>	S. Lam
<b>ADVERTISER</b>	30 Seconds
<b>ADVERTISEMENT</b>	30 Seconds Television
<b>DATE OF MEETING</b>	5 November 2018
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The 15 second television advertisement for 30 Seconds Shower Cleaner showed “Professor Yaki Yakamoto” using the product on the shower in a dressing gown with his hair wrapped in a towel. He said, in part: “Cleaning shower now easy peasy with new 30 Seconds Shower Cleaner. Soap scum. Grime. Bacteria. No wiping, no scrubbing. Just spray and walk away.”

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

**Complainant, S. Lam, said:** I find 30 Seconds’ “Spray and Walk Away” advertisement(s) to be offensive and in breach of Rule 1 (c) of the Advertising Standards code, Decency and Offensiveness, in particular the part that states:

“...advertisements must not feature stereotypical roles or characteristics which, through their content and context, are likely to be harmful or offensive to people, particularly children and young people. This includes, but is not limited to, advertisements that: Include irresponsible or offensive depictions of differences including race, body shapes and sizes.”

The intended joke of the advertisement is an older Asian man with a strong accent and exaggerated speech. It is clear that the advertisement is trying to be funny at the expense of his stereotyped Asian-ness. This is further supported by the fact that the product, a household cleaning product, has nothing to do with Asia or Asian people. The Asian character is a cheap, offensive punchline and unnecessary in advertising the product.

As an Asian-New Zealander myself, I feel incredibly uncomfortable every time this long-running advertisement comes on, and am surprised and embarrassed that this kind of ad is still broadcast in 2018. I hope this complaint will help bring about change.

**The relevant provisions were Code of Ethics - Basic Principle 4 and Rule 5; Code for People in Advertising - Basic Principle 4, and Basic Principle 6.**

**The Chair** acknowledged the Complainant’s concerns that the advertisement was trying to be funny using an older Asian man with a strong accent and exaggerated speech. The Complainant said they were uncomfortable and embarrassed that this type of advertisement is still being broadcast in 2018.

As a preliminary matter, the Chair noted the Complainant referred to Rule 1(c) of the Advertising Standards Code, however that Code does not come into effect for existing

advertising until February 2019. The Chair ruled to consider the complaint under similar requirements in the Code of Ethics and the Code for People in Advertising.

The Chair referred to a precedent decision from the Complaints Board about the same advertisement from 2017, 17/266. That decision said in part:

“The majority of the Complaints Board said the advertisement did not reach the threshold to cause serious or widespread offense to Asian people specifically, or people in general. The majority took into account the earlier Decisions which dealt with similar concerns as those raised by the Complainant and were Not Upheld. The majority did say that, compared with previous advertisements, the advertisement before it was lacking in obvious humour which had been more overt and slapstick in the past advertisements. However, the majority was of the view the ethnic background of the actor was not a relevant factor in the portrayal of the ‘mad Professor’ character or the cleaning product being sold.

The majority noted the intended humour of the advertisement where the ‘mad Professor’ character was shown in his bath robe with his hair in a towel and the inclusion of the familiar catchphrase: “spray and walk away”. From its perspective, the intended humour was not related to the ‘Professor’s’ ethnicity but to his eccentric nature and association and recognition with the 30 Seconds brand and was unlikely to cause offense, contempt, abuse or ridicule.

In consideration of the above, the majority ruled the advertisement did not reach threshold to breach of Basic Principles 2, 3, 4 or 6 of the Code for People in Advertising and had been prepared with a due standard of social responsibility to consumers and society required by Basic Principle 4 of the Code of Ethics.

A minority disagreed. It said the ethnicity of the character and his accent was a significant factor in the intended humour of the advertisement. The minority said there was a shift in tolerance for such representations and noted the significant growing Asian community in New Zealand. The minority said the depiction of the Asian man in the advertisement was offensive and offended against community standards. The minority said the advertisement was likely to cause offence to people of Asian origin and others generally and was not saved by humour. The minority said the advertisement had not been prepared with a due sense of social responsibility in breach of the Code for People in Advertising and the Code of Ethics.”

The Chair said this decision applied to the matter before her. The Chair acknowledged the distress the advertisement had caused the Complainant but said the Board had ruled to not uphold a similar complaint about the same advertisement in 2017.

The Chair said in her view there had not been a significant shift in generally prevailing community standards in the past year and the precedent decision still applied. The Chair said there was no apparent breach of the Code of Ethics or the Code for People in Advertising.

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

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

#### **APPEAL INFORMATION**

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website [www.asa.co.nz](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 days of receipt of this decision.