

COMPLAINT NUMBER	22/083
ADVERTISER	Coca-Cola Oceania
ADVERTISEMENT	L&P, Out of Home
DATE OF MEETING	21 March 2022
OUTCOME	No Grounds to Proceed

Advertisement: The advertisement for L&P appeared on a bus shelter and promotes the L&P "Dry Ginger Beer". It shows a bottle of L&P Dry Ginger Beer which appears to be covered with orange fur. The bottle's label includes the L&P logo in yellow and the words "dry gingerbeer" in orange underneath, beside a bear with raised arms. Text next to the image states "it returns!" and "with a tinge of ginge", emphasising the word "ginge" with a fur effect on the text.

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

Complaint: Seeing this ad made me feel saddened as I know children who are currently being bullied at school just because they have red hair. This ad normalises making fun of people with red hair. How can schools ever stomp out bullying and name calling of children with red hair if society normalises it in advertising?

One of the children I know being bullied for having red hair, actually loves to drink L&P and was really disappointed to see that L&P was making fun of people with red hair in their advertising.

Racism in advertising is not acceptable, and I feel making fun of red heads and calling them 'ginge' is not acceptable either. Sure, the picture is of a bear, and the bottle is covered in 'fur', but really? 'Ginge' is like 'ginger' and 'ranga' - they are all words used to insult red heads. The 'fur' on the bottle is the same colour as the hair of the children I know being bullied. It is hard enough for these children at school at the moment, let alone having to see advertising that normalises using that term 'ginge'.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c).

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

The Chair acknowledged the Complainant's concern that the advertisement encourages and normalises bullying people with red hair.

The Chair reviewed the advertisement and said it highlighted a returning L&P product. She said the average consumer would understand the primary message that L&P Dry Ginger Beer is available in stores again.

Rule 1(c) required the Chair to consider whether the advertisement was likely to cause serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule. She said the “ginger” quality of the drink was emphasised by the orange fur-covered bottle and the phrase “with a tinge of ginge”. She said these representations were intended to be playful and visually impactful, given the placement of the advertisement on a bus shelter, and considered their use to celebrate rather than denigrate the “gingerness” of the product.

The Chair acknowledged that the term “ginge” is also used colloquially to refer to people with “ginger” hair. However, she said that the term was not derogatory and was used in this case to draw attention to the ginger quality of the product as its point of difference.

The Chair said the advertisement had been prepared with a due sense of social responsibility and was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

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

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. Appeals must be made in writing with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.