

Decision of the ADVERTISING REGULATORY BOARD

Complainant	Mrs Aileen van der Mescht
Advertiser	Cape Thai Restaurants Holding t/a Simply Asia
Consumer/Competitor	Consumer
File reference	Simply Asia – Aileen van der Mescht
Outcome	Undertaking
Date	26 March 2019

The Directorate of the Advertising Regulatory Board has been called upon to consider a complaint lodged by Aileen van der Mescht against a radio commercial for Simply Thai.

Description of the advertising

The commercial features a person speaking with a Thai accent.

Complaint

In essence, the Complainant submits that the accent is a fake Asian accent which is an offensive and racist stereotype.

Response

The Advertiser responded and submitted that Simply Asia is owned by Chai Lekcharoensuk, who is a Thai national and that he would never make fun of his own culture and nationality.

However, based on similar feedback they have amended the commercial to include an introduction, clarifying that the speaker is in fact a Thai National and is permanently in the Advertiser's employ as a Thai Chef.

Application of the Code of Advertising Practice

The following clauses were considered in this matter:

Offensive advertising – Clause 1 of Section II

Discrimination – Clause 3.4 of Section II

Decision

Having considered all the material before it, the Directorate of the ARB issues the following finding.

The main objective of the Advertising Regulatory Board is to protect consumers from advertising that contravenes the Code of Advertising Practice. In the vast majority of instances where advertising is found to contravene the Code, the ARB will require the advertising to be withdrawn or amended.

In this matter, the advertiser has clarified that the accent used in the commercial is not fake, and has amended its advertising in a manner that appears to address the complaint at hand.

The ARB Directorate is satisfied that the amendment by the advertiser is unequivocal and addresses the complaint before it, and therefore accepts this undertaking in resolution of the matter.

Sanction

The commercial has already been amended and no further action is therefore required from the advertiser.