



CASE REPORT

1. Complaint reference number	75/09
2. Advertiser	Red Bull Aust Pty Ltd
3. Product	Food and Beverages
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Wednesday, 25 February 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement from Red Bull for its energy drink uses cartoon-style figures in an animated scene at a beach nudist camp. A man approaches a female lying on a sun lounge under an umbrella and asks if she minds if he lies near her. She says go ahead and then offers him a Red Bull drink which she says revitalises mind and body. He accepts, drinks the drink and then becomes embarrassed, turns around and covers his genitals - his genitals are covered by a black stripe throughout the advertisement. He grows wings and flies off. The female says: "Oh I forgot, Red Bull does give you wings". The advertisement ends showing a Red Bull can and the slogan beneath.

THE COMPLAINT

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

I find [the] advertisement EXTREMELY offensive due to [its] blatant sexual nature. Even though they are like 'cartoons', they still come across as being highly sexual and offensive.

The explicit sexuality - associating energy drink with sexual prowess - is utterly unnecessary and offensive.

I just think its too sexually explicit. really its disgusting, I don't know why a company would try to advertise its product this way ... was it a last resort?? as an 18 year old I just find it wrong and gross.

The showing of a penis becoming erect. Verbal discussion relating to it.

I don't think this is appropriate material for this product which is aimed at young people. Even though it is just a cartoon it is still an inappropriate ad and it is offensive.

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 Communication Code (the “F&B Code”).

The Board noted the complainants' concerns that the advertisement was inappropriately sexually explicit and considered the application of Section 2.3 of the Code, relating to the treatment of sex, sexuality and nudity.

The Board noted that the advertisement is sexually suggestive, with the black censor band on the man suggesting sexual arousal after the man consumed the product. The Board noted that the advertisement depicts cartoon characters, that even the cartoon characters have their 'genitalia' blocked out in the advertisement, and that the sexual reference is mild in nature.

The Board noted that the advertisement is shown after 8.30 at night and is therefore targeted to a more mature audience and not to children.

The Board considered that most members of the community would find the advertisement humorous, slightly risqué as with many of the Red Bull advertisements but not inappropriate for the relevant timezone. The Board determined that the advertisement did not breach section 2.1 of the Code.

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