



Case Report

1	Case Number	0024/12
2	Advertiser	Reckitt Benckiser (Aust) Pty Ltd
3	Product	House goods/services
4	Type of Advertisement / media	Pay TV
5	Date of Determination	08/02/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This advertisement shows a number of classic outdoor Australian holiday scenes – camping in the bush, fishing, at a caravan park, and at the beach. At the same time, it depicts a number of holidayers singing an adaptation of "Summer Nights", dancing to the song and spraying the Aerogard product.

THE COMPLAINT

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

One of the characters a man wearing very very brief red bathers is wiggling his hips to the music but very suggestively - next to him is a young lad who is obviously looking pretty disgusted - the camera pans in on this man and the boy as the man turns and passes a plate of food to him. We always cringe when we see it - it is so suggestive and looks like the man is a paedophile trying to attract the boy.

We have been meaning to say something for a long time about this ad. It is very unpleasant - and the expression on the boy's face makes us feel very uncomfortable - he is obviously unhappy with it...it may not be the intention of the ad originally but it is very unpleasant to see!

Our friends have also seen this and are not happy with it. As it was shown last year we thought something might have been done about this ad - but we were shocked to see it re surface again this summer with no changes. As no-one else seems to have complained I thought I would - could this part of the ad perhaps be edited out? With child sex offences on the increase this segment of the ad is not sending out a good message.....

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Thank you for bringing to our attention the complaint you received regarding our Aerogard advertising. Reckitt Benckiser is committed to responsible advertising and we have carefully reviewed the complaint concerning the TVC, including in respect of all the components of Section 2 of the AANA Advertiser Code of Ethics.

As a preliminary procedural point, we note that the AANA Code for Advertising & Marketing Communications to Children is not applicable, in light of the fact that the TVC was not directed primarily to children and is not for goods, services and/or facilities which are targeted toward and have principal appeal to children. However, we make our comments in respect of Section 2 of the AANA Advertiser Code of Ethics in its entirety below, (including and in particular 2.3).

The Aerogard Summer Lovin' television commercial ("TVC") referred to promotes Aerogard Personal Insect Repellents and shows everyday Australians enjoying the summer with family and friends, using an adaptation of the song, "Summer Nights" from the movie Grease. The lyrics were re-written to reflect timelessly classic scenarios from a quintessential Australian Summer, including camping in the bush, being at the beach, and trips away at a caravan park. The particular character that is the object of the complaint is a classic, stereotypical, Aussie Dad wearing a red bathing suit in a scene depicting a family barbecue at the caravan park. As with all other characters in the TVC, he is dressed for summer at the beach. The scene shows him singing and dancing to the music whilst at the barbeque, and then putting a cooked sausage on a plate held by his son. His son is watching the plate and looks up to see his Dad singing and dancing. The son then rolls his eyes. We are of the opinion that his son's eye-roll is clearly an indication that he finds the behaviour of his father embarrassing, much like teenagers commonly do when they feel embarrassed by their parents' behaviour. At no stage is the son's facial expression or behaviour reflective of fear, distaste or any other response to a sexual advance. The depiction of the father, as with all the other characters in the TVC, is not of a sexual nature. We are therefore confident that the TVC treats sex, sexuality and nudity with sensitivity.

We are confident that this scene is compliant with AANA Advertisers Code of Ethics in all respects, for the following reasons:

2.1 - the TVC does not discriminate against any person or section of the community;

2.2 - the TVC does not portray any violence;

2.3 - as described above, the TVC treats sex, sexuality and nudity with sensitivity;

2.4 - the AANA Code for Advertising & Marketing Communications to Children is not applicable;

2.5 - the TVC does not use any inappropriate language;

2.6 - the TVC does not depict any material contrary to prevailing community standards on health and safety;

2.7 - the TVC does not relate to motor vehicles; and

2.8 - the TVC does not relate to food or beverage products.

The TVC has been on air since October 2010. We mandated TNS, a market research company, with a dedicated study - Ad Tracker - to assess our advertisement on 990 people during 22 weeks between October 2010 and February 2011. It resulted that Aerogard was the most liked ad during this period. This occasion is the first time we have been contacted by anyone with any concerns implicating a sexual advance by the man to the boy.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainant’s concerns that the advertisement features an image of a man in Speedos which is sexually suggestive and implies paedophilia.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that the advertisement features holiday goers singing an adaptation of “Summer Nights” and that in one scene a dad wearing red Speedos is putting barbequed sausages on to a plate his son is holding and that the son does not look impressed.

The Board considered that the most reasonable members of the community would interpret the scene between father and son as one of embarrassment on behalf of the son: embarrassment for the singing, the Speedos or both. The Board considered that the man’s attire is in keeping with the setting of the advertisement and that there are no suggestions of paedophilia in the advertisement.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach Section 2.4 of the Code.

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

