



Case Report

1	Case Number	0040/13
2	Advertiser	Liquor Alliance (VIC)
3	Product	Alcohol
4	Type of Advertisement / media	TV
5	Date of Determination	13/02/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

The advertisement in question is for Thirsty Camel's Hump Club loyalty program that offers subscribed consumers weekly drink discounts accessible online or through their mobile phone.

It features a guy walking through a desert in a tuxedo and thongs, parodying other loyalty and reward program benefits using humorous props. He then extolls the benefits of joining Hump Club, which is receiving exclusive drink discounts, and finishes the advert by encouraging consumers to join online using the terminology 'get humping today'.

THE COMPLAINT

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

The advertisement is intentionally sexist in its presentation and is inappropriate to the timeslot and programme during which it is aired to an audience including children. The use of the word "hump" in the advertisement is a flagrant and intentional use of a word which any 12 year-old knows has a double meaning of intercourse. Whilst any viewer with a mental age of more than 12 will treat the advertisement with the disdain it deserves there is no justification for its airing with a programme such as the Australian Open. The cretinous persona of the "presenter" of the advertisement is also gratuitously offensive and extremely

annoying when it is repeatedly shown during the tennis.

THE ADVERTISER'S RESPONSE

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

A core brand value of Thirsty Camel bottleshops is irreverence and this has been reflected in our marketing communications since the brand was launched in 2005. Complaint 0040/13 specifically refers to the use of the word "hump" in Thirsty Camel's advertising. The word is used in reference to the brand's "Hump Club", which was named after a camels identifying anatomical feature, their "hump".

Thirsty Camel's Hump Club is a loyalty program where subscribed consumers are sent weekly drink specials to their mobile phones or email addresses. The advert is designed as a humorous parody of other loyalty and reward programs, while identifying the main benefit of Thirsty Camel's Hump Club loyalty program, which is receiving exclusive drink discounts, and encouraging consumers to join online using the terminology 'get humping today'.

While we acknowledge a double meaning of the word "hump" does exist in popular culture, the TVC in question uses the word "hump" as part of the Hump Club name, and the alternative meaning of the word is not used or implied at any time. In no way is the advertisement intentionally sexist, nor does it discriminate or vilify based on gender.

The advertisement has been granted a "L" rating classification from the Code of Practice which allows broadcast during sporting events including the Australian Open, and after 8.30pm at night.

We believe, in all cases, our communication reflects Thirsty Camel core brand strategy of irreverence, and we aim to be light-hearted, left-of-centre and well-meaning. Like any satire our marketing can be taken out of context and might unintentionally offend someone, and in this case, we sincerely apologise for any offence that Thirsty Camel has caused.

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 is sexist and features inappropriate sexual innuendo.

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of the Code states: "Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of...gender..."

The Board noted that the advertisement features a man promoting the benefits of the Thirsty Camel's Hump Club and that in one scene he is handed something by a giggling woman

wearing a red dress.

The Board noted the complainant's concerns that the advertisement is sexist and considered that both the man and the woman are presented in a manner which most members of the community would agree is cheesy and over the top but that these depictions would not be considered sexist or discriminatory.

The Board determined that the material depicted did not discriminate against or vilify any person or section of the community on account of gender and did not breach Section 2.1 of the Code.

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 the complainant's concerns over the sexual innuendo relating to the word 'hump'. The Board noted that the word 'hump' is relevant to a camel and therefore relevant to the product name, Thirsty Camel. The Board noted that the advertisement is promoting the Hump Club and considered that whilst some members of the community could interpret this phrase to have sexual meaning in the Board's view the phrase is not being used in a sexual context and the advertisement does not depict any sexualised imagery or material.

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

The Board considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided."

The Board noted that the word 'hump' is used in the advertisement in the context of a camel's hump and considered that the advertisement did not use any language which would be considered strong, obscene or inappropriate.

The Board determined that the advertisement did not use language considered strong or obscene and did not breach Section 2.5 of the Code.

Further finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.