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Advertising Standards Bureau Limited  
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# Case Report

1	Case Number	0040/18
2	Advertiser	ALDI Australia
3	Product	Alcohol
4	Type of Advertisement / media	Promo Material
5	Date of Determination	07/02/2018
6	DETERMINATION	Dismissed

## ISSUES RAISED

2.2 - Objectification Exploitative and degrading - women

## DESCRIPTION OF THE ADVERTISEMENT

This catalogue advertisement features a photograph of six bottles of wine, three of which are "Kiss the Girls" brand wine. Each of the Kiss the Girls wine labels contains an image of a 1950's style "pin up girl" on pastel backgrounds, together with the brand name.

## THE COMPLAINT

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

*I have just spent 2 days doing professional development for the Vic Govt School program Respectful Relationships in the secondary school where I work; a major focus is to decrease violence against women. These labels promote every stereotype this program is trying to break down: i.e. 'women are sluts' and 'ask for it'. I can't believe that these labels were allowed to be put on a wine label. The product is aimed at female drinkers (sweet and pink in colour etc) and the label is virtually inviting males to 'Kiss the Girls'. The poses of the girls in the images are provocative and virtually 'asking for sex' or 'sexual assault'. This to me is devastating and the worst I have ever seen. Please get these labels removed immediately.*



*In the current climate where women are being objectified and stories are coming out of women being molested in the arts and in politics to advertise alcohol to women showing these pictures on the front of the bottle with the invitation to "kiss the girls" seems to me very inappropriate. They are targeting women of my daughters' age who enjoy Prosecco but do not need to see these images.*

## **THE ADVERTISER'S RESPONSE**

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

*The complaints that we are responding to take issue with the Kiss the Girls wine labels that are featured in the advertisement and say that the wine labels: Suggest that "women are sluts" and "ask for it"  
Invite men to "kiss the girls" Suggest that the women portrayed are "virtually asking for sex or sexual assault"*

*The complainants assert that the advertisement breaches section 2.2 of the AANA Code of Ethics (the Code), which prohibits advertising that "employs sexual appeal in a manner which is exploitative and degrading of any individual or group of people".*

*ALDI response to the complaints*

*ALDI takes compliance with the Code very seriously and our advertising is carefully considered, with this in mind, prior to being publicly released.*

*The Code of Ethics Practice Note makes clear that for the purposes of section 2.2 of the Code:*

*exploitative means "clearly appearing to purposefully debase or abuse a person, or group of persons, for the enjoyment of others, and lacking moral, artistic or other values"; and*

*degrading means "lowering in character or quality a person or group of persons".*

*We respectfully submit that there is nothing in the advertisement that is capable of being understood as employing sexual appeal in a way that is exploitative and degrading of women.*

*The advertisement appears to be an attempt to associate the advertised wines with retro past advertising images in a light hearted way. It could not reasonably be understood as "debasement or abusing" women "for the enjoyment of others". Nor could it reasonably be understood as "lowering [women] in character or quality".*

*The advertisement does not - as one complainant suggests - invite men to "kiss the*



*girls". Indeed the complainant acknowledges that the wine is marketed primarily to women.*

*There is nothing in the advertisement that is capable of being understood as suggesting that "women are sluts" who are "asking for sex or sexual assault".*

*In summary, applying prevailing community standards, neither the images on the Kiss the Girls wine labels (which are of fully dressed women), nor the words "Kiss the Girls", could reasonably be understood as "exploitative" or "degrading" with respect to women. Nor - applying prevailing community standards - could they be reasonably understood as conveying any of the meanings suggested by the complainants. It would make little sense for a wine manufacturer to label a product that is primarily directed to women in a way that exploited or degraded their female customers, or suggested that their female customers were "sluts" who were "virtually asking for sexual assault".*

#### *Compliance with the Code*

*For the reasons set out above, ALDI considers that applying prevailing Australian community standards, the advertisement cannot be said to be in breach of Section 2.2 of the Code or of any other part of Section 2 of the Code. For the sake of completeness, we have also considered the AANA Food and Beverages: Advertising and Marketing Communications Code, and consider that the advertisement also complies fully with this code.*

*We respectfully request that the complaint be dismissed.*

## **THE DETERMINATION**

The Advertising Standards Board (the "Board") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Board noted the complainants' concern that the advertisement objectifies women and is inappropriate.

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

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or marketing communications should not employ sexual appeal: (a) where images of Minors, or people who appear to be Minors, are used; or (b) in a manner which is exploitative and degrading of any individual or group of people."

The Board noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:



“Exploitative - means clearly appearing to purposefully debase or abuse a person, or group of persons, for the enjoyment of others, and lacking moral, artistic or other values.

Degrading – lowering in character or quality a person or group of people.”

The Board noted that in order to breach this Section of the Code the advertisement would need to be using sexual appeal in a manner that is considered both exploitative and degrading.

The Board considered the catalogue advertisement featured a variety of alcoholic products including three bottles of ‘Kiss the Girl’ wine. Each bottle includes a cartoon image of a woman and her name.

The Board noted the complainants’ concern that the advertisement portrays the women as sex objects.

The Board considered that the catalogue advertisement was showing pictures of a product available to sell which included these images.

The Board noted that the cartoon images appeared to be styled like old-fashioned advertising.

The Board considered that these highly-stylised images may contain some sexual appeal, but that the cartoon women were not depicted in a way which would be considered to be debasing or degrading.

The Board determined that the advertisement did not use sexual appeal in an exploitative and degrading manner and did not breach Section 2.2 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 that the advertisement was a grocery catalogue and while the audience may include children the most likely audience would be adults.

The Board considered that the cartoon images of the women were fully clothed, although their poses may be considered slightly sexual.

The Board considered that the focus of the advertisement was not the bottles of wine, or the pictures on them, and that in the context of the entire catalogue advertisement the women were not depicted in a way which was overly sexualised or inappropriate for a catalogue audience.



The Board considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement 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.