



## Case Report

1	Case Number	0046/12
2	Advertiser	Smith's Snackfood Co Ltd The
3	Product	Food and Beverages
4	Type of Advertisement / media	TV
5	Date of Determination	22/02/2012
6	DETERMINATION	Dismissed

### ISSUES RAISED

- 2.6 - Health and Safety - within prevailing Community Standards
- 2.2 - Objectification - Exploitative and degrading - women

### DESCRIPTION OF THE ADVERTISEMENT

The new Smith's advertisements feature Australian comedian Stephen Curry, who says, "You see this chip? It's more than just a chip". We then see him hand a packet to a young woman on the beach and say that the chips can "turn a nine in to a nine with a packet of Smith's".

### THE COMPLAINT

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

*The central male character referred to a woman in a bikini at the end of the advertisement as "A Nine" and then "A Nine with a packet of Smiths". I find it offensive that a woman was objectified so blatantly - and that my young children can see this kind of role-modelling on TV when we're watching cricket as a family.*

*In one particular scene the narrator walks past a young woman on a beach wearing a bikini. He says something along the lines of "they [the Smith's crisps] turn a 9 into... a 9 with a packet of crisps". The "9" is clearly intended to refer to the young women and to be indicative of her attractiveness. In my opinion referring to a woman as a number based on her physical appearance is unacceptably demeaning. The perpetuation of demeaning attitudes towards women amounts to gender-based discrimination and I believe is completely unacceptable.*

*I'm quite offended by the line by the not-very-good-looking mid-30s man referring to the attractive young girl in a bikini as "a nine at the beach is a nine holding a packet of Smiths".*

*This is definitely sending the wrong message to men who think that a woman's attractiveness can be rated as a number out of ten. Also the man has no right to rate her as only a nine when he is not very attractive himself and I think many young girls would be disgusted to think that an unattractive older man has the right to "rate" her like this. Also let's be honest girls who look like a nine in a bikini do not eat chips so why is she even in the commercial? Blatant sexism.*

*Blatant sexism toward women (the gentleman says 'Smiths Chips can turn a 9 (referring to a woman in terms of her attractiveness) into a 9 with Smiths Chips')*

*This advertisement is degrading toward women. Women are not objects to be judged like some gymnastics routine.*

*I'm sure you get a lot of these types of complaints so you'll have to put up with another sorry. I object to the use of the anorexic looking model in the bikini on the beach which the man walks by and says "it can turn a nine into a... nine with a packet of Smiths". If you look closely you'll see this girl's arm is not unlike that of a malnourished person. It isn't just because she's naturally thin; rather she obviously avoids a normal healthy diet to achieve that look.*

*I would like to point out that I am a fairly normal 30-something male who enjoys bikini-clad women on screen any time. But I draw the line at this sort of look and more importantly it sends yet another really unhealthy message to young women and girls about their self-image amplified by the fact that the guy rates her out of 10 as he walks by. This is not cool and completely irrelevant to the selling of potato chips.*

*If Smiths are in some way trying to play on the concept of "thinly cut" then this is also objectionable. Smiths have no business using an underweight girl to play on "thin". I'm not sure they are trying to do this but either way this image of the girl is NOT what one finds at the beach at any given time and does not represent "healthy".*

*I read some other similar complaints on this site related to thin models dismissed by you because the girls were not found to be too thin and as you put it represented "healthy". Well perhaps you'll reach the same conclusion this time but if you do you'll be approving a girl who if she was any thinner she'd be in treatment.*

*In summary: the "rating out of 10" by the guy who walks past this girl just increases the inappropriate message here and is yet another contributor to distorted self-image among young girls. Look at the girl's arm you cannot get much thinner.*

*I'm sure you get a lot of these complaints and it's easier to dismiss than act. All I hope is that you give this a fair assessment keeping in mind that what is being sold here is chips and the guy rating the too-skinny bikini girl out of 10 has no place in a chips ad.*

*There is only one part of this ad I object to. At one point the male walks past a young female in a bikini and makes a comment to the effect of "they make a 9...a 9 with chips"*

*I am used to gratuitous females in bikinis in ads there's no point objecting to this because it's not going to change but what really offended me as a young female was the utterly dismissive nature of how this young woman was referred to.*

*The ad is largely populated with male's the only other notable female was a drunk obnoxious relative in the first scene. For females to be treated merely as visual aids is becoming far too common in all forms of media and I think it's an awful example for young women to grow up with.*

*The attitude of the male in this ad is so dismissive of this female while she stands and grins moronically I find it an incredibly offensive portrayal of females and did not feel it was at all necessary for the point of the advertisement to be expressed.*

## THE ADVERTISER'S RESPONSE

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

*The advertisement referred to by the Bureau is a new campaign by The Smith's Snackfood Company to promote Australia's market leader and iconic Australian brand, Smith's Potato Crisps.*

*Australians love the irresistible taste of "the original and the best" potato chip – Smith's and the new campaign, "Smith's. You know you'll love 'em" reflects the special place the Smith's brand has in the life of every Australian.*

*The Smith's brand represents all things Australian – being with family and friends, sport and the beach and has historically been, like many of Australia's icons – a bit of a larrikin.*

*The new Smith's advertisements (30 second and 15 second edit) feature Australian comedian Stephen Curry, in a larger than life humorous depiction of how Smith's Crisps can add enjoyment to various situations in everyday Australian life. This light-hearted comical approach is clear at the start of the advertisement when he says "You see this chip? It's more than just a chip" and through various scenes that represent the fabric of Australian life.*

*The complaints received by the Bureau concern the section of the commercial where the narrator, Stephen Curry exclaims that a packet of Smith's Chips "can turn a nine...into a nine with a packet of Smith's".*

*The narrator is making reference to the attractiveness of the girl in the bikini, but doing so in the vernacular and with gentle humour. We do not believe that this statement about the girl contravenes either the letter or the intent of any of the Codes that the Bureau administers.*

*With reference to the various Codes we would make the following points:*

*The statement does not discriminate against the girl on account of her gender or any other class or category. (Code of Ethics 2.1)*

*Neither the statement nor the video images that go with it employ sexual appeal in a manner which is exploitive or degrading of any individual or group. (Code of Ethics 2.2)*

*Sections 2.3 - 2.6 do not apply to this commercial.*

*In addition we would draw the board's attention to the following explanations in The AANA 2012 Code of Ethics Practice Note:*

*Portraying a woman as attractive does not of itself constitute discrimination or vilification of women.*

*"Not all images of people who are scantily clad will be unacceptable under this section. This section restricts the use of such images only if they are exploitative and degrading."*

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

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

*"Images of women in bikinis are permitted, however, unacceptable images could include those where a woman (or man) is in a suggestively sexual pose, where underwear is being pulled up or down (by the model or another person), or where there is clear sexual innuendo from the ad (e.g. depicting woman as sexual objects. Sexualised images where only the woman's torso is shown are generally found in breach. However, an image of a women's torso in a non-sexualised pose to promote a relevant healthy product, have been found to be acceptable. "*

*We would further argue that the description of the girl as a “nine” falls within the permissible vernacular category defined as follows in the Practice Note:*

*“Words which are innocuous and in widespread and common use in the Australian vernacular are permitted (provided they are used in a manner consistent with their colloquial usage, for example with gentle humour, and not used in a demeaning or aggressive manner). Examples are “bugger”, “shit”, “pissed-off”, “crap”, “bloody”, “cheap bastard”, “bum”, “honk if you did it last night”.”*

*We assure the Bureau that our intention in the commercial was to entertain viewers not offend them and we apologise if we have done so. We have a responsibility to ensure our advertising and promotion meets appropriate community standards. We believe, however, that we have met those standards with this commercial. Consumer feedback we have received to date confirms that Australians are enjoying the advertisements and understand that they are light hearted.*

*The advertisement received CAD approval and was given a “W” rating. The target audience for the advertisement was people 16-39 years.*

*We assure the ASB that in scheduling the placement of the commercial we were mindful of the “W” rating guideline as well as our commitments under the AFGC Responsible Children’s marketing Initiative. The advertisement has not and will not knowingly be placed in programs that were promoted for viewing by children or likely to attract substantial numbers of children.*

*The new Smith’s campaign started on 25th January and this first burst of activity is planned to run until 12th February. The advertisements have and will run through the remainder of the Australian summer, appearing in important sports events like the Australian Open Tennis and Australian Cricket Test Series where consumers can and do enjoy a bag of Smith’s Crisps.*

*We do not believe that the latest Smith’s Commercial is in breach of the code.*

## **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 objectifies women and is demeaning in its portrayal of a woman in a bikini to get the viewer’s attention, and that the woman appears malnourished.

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 in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted that the advertisement has familiar personality Stephen Curry moving through various scenes discussing the tasty features of the brand of chips. In the final scene he is on the beach referring to a woman in a bikini as a “nine, with a packet of Smiths”.

The Board considered that the advertisement is intended to be humorous and light hearted and uses terminology (ratings) that is used by young people in various situations.

The Board noted that the scene is set at the beach and that the use of a woman in a bikini at the beach is not of itself inappropriate. and the Board considered that the ‘rating’ given to the young woman is not demeaning of women as the girl is presented in a positive, attractive manner with a satirical use of the rating system to focus on the taste of the chips..

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading to women and that the advertisement did not breach Section 2.2 of the Code.

The Board considered the advertisement within the context of Section 2.6 of the Code which requires that advertising or marketing communications shall not depict material contrary to prevailing community standards on health and safety.

The Board noted that obesity, anorexia and body image are issues of community concern. The Board noted that there is no obligation on advertisers to use models of a particular size in advertising but noted that it could uphold complaints about advertisements which used models who were inappropriately slim.

The Board noted that the woman is on a beach in her bikini. The Board considered the woman is obviously slim, as are most models, but that the advertisement as a whole did not present her as unhealthily slim or anorexic. The Board noted the complainant’s concerns that the woman “appears malnourished”. The Board considered that whilst the woman is slim it is unlikely that most members of the community would consider her to be malnourished. The Board considered that the woman does not represent or condone an unnatural body appearance.

The Board considered that this advertisement did not depict material contrary to prevailing community standards on health and safety and was not in breach of Section 2.6 of the Code.

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