



**ADVERTISING  
STANDARDS  
BUREAU**

Level 2, 97 Northbourne Avenue, Turner ACT 2612  
Ph (02) 6173 1500 | Fax (02) 6262 9833  
[www.adstandards.com.au](http://www.adstandards.com.au)  
ACN 084 452 666

# Case Report

<b>1</b>	<b>Case Number</b>	<b>0054/14</b>
<b>2</b>	<b>Advertiser</b>	<b>Beiersdorf Aust Ltd</b>
<b>3</b>	<b>Product</b>	<b>Toiletries</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Internet</b>
<b>5</b>	<b>Date of Determination</b>	<b>26/02/2014</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

2.1 - Discrimination or Vilification Gender

## DESCRIPTION OF THE ADVERTISEMENT

The advertisement shows a man at work looking stressed who then comes home to fall lethargically on the lounge. The woman of the family has been at work and arrives home with a young child and some shopping and is talking on the phone. She appears bright and full of energy.

## THE COMPLAINT

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

*Sexism and poor taste.*

## THE ADVERTISER'S RESPONSE

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

*Beiersdorf Australia Limited is the organisation behind the iconic NIVEA brand. We refer to complaints received by the ASB for our NIVEA Stress Protect antiperspirant deodorant advertisement campaign .*

*In conjunction with our advertising agency (DraftFCB), we have thoroughly considered and reviewed these complaints. We welcome the opportunity to furnish this response. Please accept this response to complaints raised to date relating to the issue 2.1 – Discrimination or Vilification Gender – of the AANA Advertiser Code of Ethics.*

*We understand Issue 2.1 Code to require that: 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 race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.*

*Our considered response is that we do not, respectfully, agree with the complainants' views. Our contention is supported as follows:*

#### *Intent of the Advertisement*

*The Stress Protect deodorant is formulated to reduce the wetness and odour that occurs when men and women are stressed. The intent was to demonstrate how NIVEA Stress Protect antiperspirant deodorant helps in life's everyday stressful situations.*

*The creative idea suggests that whilst both men and women lead equally stressful lives, and therefore have an equal need for our deodorant, the woman protagonist 'has discovered' the solution to her stress-sweating problem, being NIVEA Stress Protect antiperspirant deodorant. The woman protagonist was the obvious choice to 'have discovered' the secret as women are responsible for 78% of all aerosol deodorant purchases (Source: Aztec IHP based on 3.9m units sold to MAT 12/1/2014). The use of humour and exaggeration Light-hearted humour and exaggeration are central to the campaign. The man is humorously depicted as being over-worked, tired and stressed. To see him collapse onto the couch is a clear demonstration of the exaggeration we have used. Showing people under stress provided a clear and interesting segue by which the features of our stress-sweat deodorant could be demonstrated. To do this with humour is a well-accepted advertising technique. Further, the female VO is delivered in an over-the-top manner.*

*Assumptions made by the complainant*

*Interestingly, the complaint makes specific assertions and, in doing so, the complainant has made assumptions about the state of events and the talent in the advertisement that are neither expressed nor reasonably implied.*

*Some of these assertions are as follows:*

- "Representations of the man as 'lethargic, useless and inferior' and being "looked upon by the woman with disdain, scorn and contempt."*
- "Men are not as busy, stressed or competent as women"*
- "Men are made out for being idiots for being men" / "women better at multi-tasking than men." Notions of lethargy, uselessness, inferiority, idiocy, disdain, scorn and contempt are strong assumptions not reasonably implied in the advertisement. The man is shown under stress at work, and being worse for it after the day. A more legitimate complaint might have been if the talent were acting or saying something idiotic other than simply looking like he has had a stressful day. The woman, rather than 'looking upon him with disdain and scorn'*

*shares the male version of the product with her partner.*

*The complaint that “men are not as busy as women” misses the point of the campaign, as does the assertion that “men are hard working, tired and smelly creatures [and] that women don't have that problem.” In the first instance, both men and women are depicted as busy, albeit in different ways. In the second instance, the reason why the “woman doesn't have that problem” is because she has discovered our product.*

*Again, the interpretations made are not reasonably implied by the advertisement.*

*Contradiction in the complaint*

*Part of the complaint states: “If there's an identical advertisement with the woman and man's attributes swapped; i.e. depicting a typical woman as useless and lethargic and looked upon with disdain and contempt, and that is shown equally as often, then fair enough”.*

*This highlights a contradiction in the complaint, and therefore its lack of substance. Is the complainant saying ‘our depiction of males is unacceptable’ or are they saying that ‘our depiction of gender would be acceptable as long as both genders are depicted in the same way’?*

*There is a difference between discrimination and stereotyping. This part of the complaint suggests that they are dissatisfied with the different stereotypes of gender difference but would be satisfied if the stereotypes applied were the same. It therefore doesn't constitute discrimination.*

*Deodorant Category Precedent*

*Looking in our own deodorant category, Lynx deodorant has built its brand on tongue-in-cheek, award winning advertising that sells itself on the dubious idea that it makes its wearer immediately irresistible to women. Most marketing campaigns use pretty girls falling helplessly at the feet of slightly geeky looking men. We understand that portraying a woman as attractive does not of itself constitute discrimination or vilification of women. Similarly, portraying men as stressed should not constitute discrimination or vilification.*

*Research*

*Finally, it is worth noting that TVC was tested through an independent research agency prior to flight. The overall results from the tested audience show:*

- 81% - liked the TVC;*
  
- 92% - made the audience feel positive towards NIVEA;*
  
- 87% - believed it should not be taken too seriously;*
  
- 81% - found the TVC funny.*

*These benchmarks are consistent with our company standards.*

*For all the above reasons, we contend that the advertisement does not “portray people or depict material in a way which discriminates or vilifies gender”.*

## **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 complainants’ concerns that the advertisement is sexist in its depiction of a man unable to multitask unlike a woman.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that ‘advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.’

The Board noted that the advertisement depicts a man at work at the computer looking stressed who then comes home to fall lethargically on the lounge. The Voiceover states ‘poor poor man working all day...all sweaty and really work out. Your life is so stressful’ By contrast, the woman of the family arrives home from work with a young child in her arms and some shopping and is talking on the phone. She appears bright and full of energy. The voiceover indicates that ‘women wouldn’t know about that ...we discovered stress protect deodorant.’

The Board considered that the advertisement does depict the woman as being better able to handle work plus other activities – but it is made clear that this is because she has discovered the advertised product – the stress protect deodorant.

The Board noted the complainant’s concerns that the male gender are being ‘made fun of’ and portrayed in a way that makes them appear inferior to women.

The Board considered that the woman purchases the male version of the deodorant for the man as a gesture of affection so that he can enjoy the same feeling she does of having a day free from perspiration generated by stress.

The Board considered that the advertisement clearly depicts that the reason that the woman is more capable is because she is using the advertised product – a product which she brings home and gives to her partner.

While the advertisement does depict the woman as being more capable at performing multiple tasks than the man, the Board considered that the depictions are clearly presented as being a result of use of the advertised product and not any inherent difference between men and women. The Board considered that the depiction of both couples was stereotypical in various aspects but that there was no negative or demeaning representation of either the man or the woman.

The Board considered that in this instance the advertisement did not portray or depict material in a way which discriminates or vilifies either men or women on account of their gender and did not breach Section 2.1 of the Code.

The Board noted that it had also dismissed the complaints for the television version of the same advertisement (ref: 0052/14).

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

