



Case Report

1	Case Number	0072/16
2	Advertiser	Coca-Cola South Pacific
3	Product	Food and Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	09/03/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features various people drinking bottles of coke either on their own or with a partner/friend. Scenes include music concerts, a beach setting and a library. The onscreen text changes with each change in scene: Coca-Cola with Bubbles - Bubbles with Friends - Friends with Stories - Stories with Desire and so forth.

THE COMPLAINT

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

It is way too sexual and graphic for prime time television when my kids are awake and watching. Inappropriate.

THE ADVERTISER'S RESPONSE

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

Thank you for your letter regarding a complaint received in relation to Coca-Cola South Pacific Pty Ltd's (CCSP) Coca-Cola Anthem television commercial. We thank you for bringing this matter to our attention and respond to the points raised as follows:

A description of the Advertisement

The Anthem television commercial is one of a series of commercials being broadcast as part of Coca-Cola's global Taste the Feeling campaign. The campaign brings to life the idea that drinking Coca-Cola is a simple pleasure that makes everyday moments more special. The commercials feature universal storytelling with the product at the heart to reflect both the functional and emotional aspects of the Coca-Cola experience.

Anthem presents a series of moments linked by drinking a Coca-Cola, such as spending time with friends, a couple together and celebrating the joy of music. It offers an intimate glimpse into stories, feelings and moments people share while enjoying the experience of drinking an ice-cold Coca-Cola.

Comprehensive comments in relation to the complaint

The complaint raises the issues of sexual appeal and sexuality under sections 2.2 and 2.4 of the Australian Association of National Advertisers Code of Ethics (Code).

The complainant has specifically expressed concern that the television commercial is too sexual and graphic for prime time television when children are watching.

CCSP acknowledges that in addition to the above, the ASB will review the advertising against the entirety of Section 2 of the Code.

Section 2.2 Comments

This section provides that:

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 moment in the commercial that the viewer expresses concern in relation to appears at approximately 8 seconds and lasts for approximately 3 seconds. It shows a young couple in the library kissing passionately. The guy picks the girl up, puts her on a desk and keeps kissing her whilst his hands are on her thighs. It is a moment of passion and desire as the "Stories with Desire" super suggests. It does not use sexual appeal in a manner which is exploitative or degrading to either the guy or the girl. Exploitative is defined in the AANA Code of Ethics Practice Note as "... clearly appearing to purposefully debase or abuse a person ... for the enjoyment of others, and lacking moral, artistic or other values". Degrading is defined as "... lowering in character or quality a person ...". The moment depicts a couple in a passionate embrace which does employ sexual appeal. However, it is neither debasing nor lowering the character of the couple. Rather, it shares a passionate moment which is part of the stories that make up people's lives.

Section 2.4 Comments

This section provides that:

Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

As outlined above, the commercial was classified W. This permits it to be broadcast at any time except during P and C programs or adjacent to P or C periods. Care should also be exercised when placing in programs principally directed to children. We have reviewed the commercial placement list and note that the commercial was correctly broadcast during House Hunters International at the time the complainant viewed it.

We consider that the television commercial treats sexuality with sensitivity to the relevant audience. The moment described above is sexually charged but it is not highly sexually suggestive, explicit or insensitive to the audience of the program in which it was broadcast which predominantly consists of viewers aged 25 and over. The moment between the couple is relevant to the narrative which links emotional moments people share while enjoying the experience of drinking Coca Cola. The commercial features ten moments altogether. The overall impression of the commercial is not sexual but rather that of the emotional connections people share with each other, with a Coke, in a variety of relationships and times of their lives.

Section 2 Comments Generally

In relation to the other parts of section 2 of the Code, the television commercial does not portray people in a way that discriminates against or vilifies them, it does not include violence or coarse language and does not depict material contrary to prevailing community standards on health and safety.

It is CCSP's view that the Coca-Cola Anthem television commercial complies with all elements of the Code. CCSP takes its obligations in relation to responsible advertising seriously. We consider that when assessed against prevailing community standards and the relevant audience, the commercial does not breach the Code.

We are very happy to answer any further questions you may have and please let us know if you need more information.

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 depicts a man and woman kissing and embracing in a manner which is too sexual and graphic for children to view.

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 this television advertisement features various people undertaking various activities such as attending a music concert, drinking coke on a beach, playing the

drums. The Board noted one scene shows a young man in a library lift up a young woman to embrace and kiss her and we see him put the woman down on a desk so he is standing between her legs whilst they kiss.

The Board noted that in the library scene we see the man rest his hands on the woman's thighs as he kisses her, and that in turn the woman has her hands clasped around his neck. The Board noted the complainant's concern that this scene is too sexual and graphic and considered that the scene is very brief and one of many scenes shown in the advertisement. The Board noted that the man's hands are resting on the woman's thighs and considered that his placement of his hands is consistent with having picked her up and placed her on a seated position in front of him. The Board noted that his hands do not move to any other part of the woman's body and considered that although the couple are kissing no other sexual activity is shown or alluded to. The Board noted that the woman's dress is quite short but considered that her clothing is consistent with current fashion and the level of nudity is not explicit or inappropriate.

The Board noted the advertisement had been rated 'W' by CAD and considered that most reasonable members of the community would agree that the content of the advertisement is not overly sexualised or graphic and that it does treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

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.