



## Case Report

1	Case Number	0079/16
2	Advertiser	Chrysler Australia Pty Ltd
3	Product	Vehicle
4	Type of Advertisement / media	TV - Pay
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

An old sleepy man walks into his bedroom in a leopard print bathrobe to find his wife waiting for him. He rushes back to the bathroom to take his little blue pill, only to miss his mouth in his haste.

The blue pill drops out the window, hits the roof, goes down the drain pipe, bouncing off another roof, a wall, a lamp until we finally see a young man filling up his Fiat 500 with petrol at a petrol pump. The Blue Pill drops perfectly into the cars petrol tank.

The Fiat 500x then seems to grow bigger before our eyes. And as the man turns back around he is pleasantly surprised to find his Fiat 500 has turned into a Fiat 500x.

Super: 'Overseas model shown'

We cut to a blonde woman whistling and 3 x driving shots of the Fiat 500x.

Older lady sweeping looks up and growls at the car.

### THE COMPLAINT

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

*Obviously the content is inappropriate for children, and yet it was aired at a time that children would be viewing tv. Offensive and highly inappropriate. Very disappointed in Fiat. Inappropriate at a family time to broadcast, sleazy innuendo using viagra.*

### THE ADVERTISER'S RESPONSE

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

*Fiat Chrysler Automobiles (FCA) ensures that advertisements screened in Australia comply with the AANA Code and FCAI Code and we take great care to ensure that our commercials do not depict scenes or behaviour that is contrary to prevailing public standards. FCA strongly believes that the advertisement complies with the AANA Code.*

*The advertisement of the new Fiat 500X was positioned at our core target of women, mid-30's with a strong interest in style and design - when it comes to their car, they want something that ticks all the boxes from a practicality perspective but also with distinctive looks and personality, so our marketing needs to do the same. The advertisement is therefore designed to launch the all new Fiat 500X keeping in line with our brand tone of fun, cheeky and light-hearted.*

*The ASB's letter requires FCA to address the advertisement's compliance with all parts of section 2 of the AANA Code. FCA does not believe that any issues would arise under sections 2.1, 2.3, 2.5 and 2.6. The only possible relevant sections of the AANA Code are:*

- Section 2.2: "advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people"; and*
- Section 2.4: "advertising or marketing communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience"*

*The complaint in question alleges that the TVC is "inappropriate at a family time to broadcast, sleazy innuendo using viagra"*

*FCA respectfully submits that the advertisement treats sexuality with appropriate sensitivity to the potential audience viewing the advertisement. The advertisement was reviewed by CAD and provided with a Parental Guidance Recommended (PG) rating, and was thus aired at the timeslot which is the subject of the complaint. FCA believes the timeslot is appropriate because whilst it may contain adult themes, the impact is mild and suitable for children to watch with supervision. The potential romantic interlude between the elderly couple is subtle and restrained, evidenced by the fact that only the woman's legs below the knee are visible. The visual and verbal references "amore" (my love) from the woman and "subito" (at once) from the man are restrained and do not overtly imply that explicit sexual activity is about to occur. FCA also submits that the depiction of the elderly couple, as well as the two women towards the end of the advertisement admiring the new Fiat 500x is neither exploitative nor degrading – the general theme of the advertisement is light hearted and a cheeky in nature.*

*Whilst the use of the blue pill is an implied reference to a well-known medication used to treat erectile dysfunction (although the shape of the pill is clearly different), the advertisement still remains suitable for children to watch with supervision – the effect of the blue pill is not shown to affect the person, but the car. When the blue pill goes into the Fiat 500's fuel tank, it transforms into a bigger version, the Fiat 500x. The blue pill delivers the key message of the advertisement in a humorous and light hearted way. The all-new Fiat 500x is a larger version of the existing Fiat 500; bigger in size and with more powerful engines. The original Fiat 500 model has strong brand awareness with our target audience,*

*almost more so than the actual Fiat brand itself. It was therefore important that for the Australian launch that FCA was clear in demonstrating that the Fiat 500x leverages the iconic Fiat 500 model that our target audience knows and loves, but showing that it is bigger and more powerful, to position this vehicle in the small SUV category.*

*While FCA acknowledges the complainant's concerns, it does not believe that the advertisement breaches the AANA Code. We respectfully request that the complaint be dismissed. We look forward to receiving the results of the Board's determination.*

## **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 depicts a couple about to engage in sexual activity and then a car enlarging after coming in contact with a Viagra-like pill and that this sexualised content is not appropriate for children to view.

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

The Board then 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 opens on a man entering his bedroom to find his female partner lying on the bed waiting for him. We see the man throw a blue pill to his mouth but he misses and we follow the pill's journey out of the window until it finds its way into the fuel tank of a car resulting in the car growing in size.

The Board noted the complainants' concerns about the suggestion of sexual activity in the opening scene. The Board noted that woman lying on the bed is wearing a red and black top/nightdress and a sheet covers most of her legs. The Board noted that the woman's breasts are covered and considered that whilst we can see her legs from the knees down, in the Board's view this level of nudity is very mild.

The Board noted that the woman is twirling her hair and says something to the man in Italian. The Board noted that the woman's pose is mildly sexualised but considered that the woman does not come in to contact with the man and the level of sexual suggestion is mild and not inappropriate for children to view.

The Board noted the man in the advertisement is wearing a dressing gown and considered that there was no nudity and his pose and actions are not sexualised. The Board noted that the man holds up his finger to the woman in a gesture meaning to wait and then we see him empty a blue pill in to his hand. The Board acknowledged that most adult members of the community would recognise that a blue pill being used in the context of a man in a bedroom is intended to represent Viagra, a sexual performance pill but considered that this reference is unlikely to be understood by children and as there is no depiction of sexual activity this suggestion of a sexual performance pill is not overtly sexual in itself.

The Board noted that when the pill falls into the fuel tank of the car we see the car expand and grow bigger. The Board noted the complainants' concerns that this expansion of the car is intended to represent the sexual performance effects of Viagra but considered that children would not understand this reference and in the Board's view the expansion of the car would be easy to explain to children without having to mention sexual performance enhancers. The Board considered that overall whilst adults would understand the double entendre employed in this advertisement in the Board's view most adults would not find this double entendre to be sexually explicit or inappropriate in the context of a light-hearted and cheeky scenario.

The Board noted that the advertisement had been rated 'PG' by CAD and considered that overall the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant 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 complaints.