



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0084/15</b>
<b>2</b>	<b>Advertiser</b>	<b>Monster Beverage Corporation</b>
<b>3</b>	<b>Product</b>	<b>Food and Beverages</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Internet - Social</b>
<b>5</b>	<b>Date of Determination</b>	<b>25/03/2015</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

## DESCRIPTION OF THE ADVERTISEMENT

Image of two women sitting together with their backs against each other. They have low cut singlet tops and branded clothing on. The text reads "2 always better than 1 right?"

## THE COMPLAINT

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

*Straight up sexist, objectifies women and has NOTHING to do with energy drinks.*

## THE ADVERTISER'S RESPONSE

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

*Advertiser did not provide a response.*

## 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 concern that the advertisement depicts an image of two women together which is sexist and objectifying and irrelevant to the product.

The Board viewed the advertisement and noted the advertiser did not respond.

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 in order to be in breach of this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted that this advertisement features two women sitting with their backs together. They are wearing monster branded clothing and there is a portion of the side of their bodies and breasts visible. The text reads "2 is always better than one...right? #MonsterGirls."

The Board noted that the promotion is on the facebook/twitter site for Monster Beverages.

The Board noted that on the Monster Beverage social media sites there are a group of models who are called "Monster Girls" and that these girls are promotional girls who assist with marketing at events sponsored by Monster.

The Board noted that the women are wearing low cut singlet tops and Monster branded pants.

The Board considered that it is reasonable to depict women dressed in branded attire to promote their product. The Board noted that in this advertisement the women are posed specifically for the photo and are not actively promoting a particular drink within the range.

The Board noted that some members of the community would consider it to be exploitative to use women to sell a product but considered in this instance that the women appear to be paid models who attend promotional events and conduct marketing photo shoots as part of their job. The Board considered that overall the women are not presented in a manner that uses sexual appeal in way that is both exploitative and degrading.

The Board determined that the advertisement did not breach Section 2.2 of the Code.

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 considered that the women were intended to appear sexy but considered that the level of sexual appeal was very mild and not inappropriate considering the likely audience would be adults interested in attending the types of events that Monster sponsor, such as motor sport.

The Board considered the use of the text "2 is always better than one...right?" The Board agreed that this statement itself is not of a sexual nature, however the Board acknowledged that some people would understand it to have a level of sexual innuendo suggesting that being with two women at the one time is better than being with one.

The Board agreed that this is an adult theme that would not be understood by children and that in the context of a social media site with a primarily adult audience the statement is not inappropriate and, in combination with the picture, did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad adult audience and 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.

