



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0115/19
2	Advertiser	Chatime
3	Product	Food / Beverages
4	Type of Advertisement / media	Transport
5	Date of Determination	08/05/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This transport advertisement features an image of a woman drinking from a bubble tea cup and the words 'My First Cha Time...' 'I can't remember I've had so many'.

THE COMPLAINT

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

They are a series of ads for a drink but all the ads I have seen for it are sexual in nature, double meanings that are not very subtle and they are massive ads on the side of buses full of school children- competition in appropriate and offensive.

THE ADVERTISER'S RESPONSE

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

We conducted consumer research in early 2019 to find out more about customers' experiences the first time they tried our products. We received a lot of fun and quirky





responses from Chatime drinkers. With Chatime originating in Asia and our core consumer having Asian heritage, several responses related back to the fact that these customers had a hard time remembering their first time, as they've had so many. The quotes featured in our ads are based on the consumer research and are actual quotes from our customers explaining their experience with Chatime.

All our ads are meant to be light-hearted and celebrate our customers' first time while hopefully encouraging new consumers to try our products.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concerns that the advertisement features sexualised language which is not appropriate for a broad audience which would include children.

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

The Panel 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 Panel noted the complainants' concerns that the advertisement contains a sexual reference which is inappropriate for a medium which would be viewed by people of all ages.

The Panel noted this transport advertisement featured an image of a woman drinking from a bubble tea cup and the words 'My First Cha Time...' 'I can't remember I've had so many'.

The Panel noted that this advertisement is on the side of a bus, and the audience would be broad and would include children.

The Panel noted it had previously considered another advertisement in this series in case 0104/19, in which:

"The Panel considered that the advertisement includes the double entendre of 'the balls felt weird in my mouth' however considered that there is a clear explanation of balls being a part of the beverage provided in the imagery of the advertisement.

The Panel noted that in earlier determinations, advertisements which use double entendre, where a non-sexualised explanation of the meaning would be taken away



by children, would generally treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience..The Panel considered that the sexualised meaning of the phrase ‘the balls felt weird in my mouth’ could be interpreted by adults to be an innuendo to oral sex, however considered that the most likely explanation of the advertisement for young children would be that the balls included in the beverage felt strange when drinking the product.”

Similar to the previous case, in the current advertisement the Panel considered that the advertisement does include a double entendre about first times, however there is a clear explanation that the woman is referencing her first Cha Time beverage. The Panel considered the phrase clearly stated ‘my first (Cha) Time’, had Cha Time branding and depicted the woman drinking a Cha Time beverage. The Panel considered that the sexualised meaning of the reference to first times may be understood by adults, however considered that the clear overarching message is of drinking the product and that the most likely explanation of the advertisement for young children would be that the woman has had so many Cha Time beverages she can’t remember which was her first.

The Panel considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant broad audience and did not breach Section 2.4 of the Code.

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

