



Case Report

1	Case Number	0164/10
2	Advertiser	Pharmacare Laboratories
3	Product	Toiletries
4	Type of Advertisement / media	Outdoor
5	Date of Determination	28/04/2010
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

There are four videos which are accessible after download via a person's mobile device. All four videos commence focusing on a woman's chest. The woman is wearing a t-shirt with the word Code and a code number on the shirt. The camera gradually pans back to show the face and torso of the woman and each woman takes off her t-shirt to reveal a bikini top. The camera focuses on the woman's top half and each woman poses then winks. Once the women have removed their top text appears explaining what the particular Code number means (see below). This is followed by text saying 'collect more revealing Codes next week.', images of the product and the words Brut - live by the Code.

- Code #11 - You can drive her car but she can't drive yours.
- Code #15 - Never look at another man while eating a banana
- Code #72 - A guy must always alert his mates to the existence of a girl fight
- Code #85 - Always alert your mates to the presence of fine form

There is also an invitation to collect more codes and a face book reference.

THE COMPLAINT

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

The nature of this ad like many of its kind serves merely to promote the objectification of women. Women are there as objects to look at and demean down to a source of titillation and

entertainment. The message or "code" included serves to promote and solidify the concept that it is a man's duty to reduce women down to this level.

However I acknowledge that these sorts of reasons are not enough to make any difference no matter how sexist or degrading it may be. My main objection to this advertisement is the accessibility of this video and visual advertisement to anyone passing it by who is in possession of a mobile phone. This video would easily have been downloaded by a child (there were no age restrictions or confirmations before the download simply a message asking if you would like to download Brut_Code72). In this age of cultural sexualisation and technology literacy especially in children it is simply unacceptable and irresponsible that this sort of messaging would be available to them. We do not need to be promoting these attitudes towards women to boys who will develop their view of women this way; or to girls who will develop their sense of worth and value this way. Just because a segment of misogynistic adults view these attitudes to be a right does not warrant the same to be put upon children also. And an invitation to ""collect more revealing codes""?? Much like they were to collect serial cartoon collector cards or toys they can collect different strip shows and misogynistic male tips? Not only are they making this ridiculous piece of female objectification available to children but they are encouraging that they ""collect"" more of these female stripshow objects?

I cannot see how especially in light of the potential of this information in the hands and minds of children this advertisement can be acceptable or responsible - developmentally they cannot process or deal with this kind of information and it is an abuse to submit them to visual material like this. I cannot imagine any parent who would be happy - or at the very best flippant - about this kind of material being so simply available to their children. This is simply irresponsible abusive advertising and it must stop.

THE ADVERTISER'S RESPONSE

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

The campaign is for Brut Code, a body spray deodorant range targeted at male deodorant users in their late teens to early 20s. The principle behind the Code element of Brut Code refers to 'the amusing codes that friends live by'. An example might be "No matter what, two guys should never share an umbrella".

The aim of the advertising material is to introduce this concept of codes that friends live by and to get the target market to reveal an entertaining code through the use of a blue tooth enabled mobile phone.

Relating to Complaint 0164/10, we see the respective areas of the complaint as:

"Objectification of women"

- The 'Bus Stop Ad' features an attractive, smiling / happy woman wearing a T-Shirt. This shirt is obviously over her bathing suit. She does not reveal her under wear as the complaint*

suggests. We submit that using attractive people in adverts is very common practice and in no way does this objectify or demean women.

'Accessibility of video and visual advertising' ...could be 'easily downloaded by children'

- *A limited number of our poster sites invited the download of a "Bluetooth" video. In-order to receive the download*

- o *A person must have a mobile phone with Bluetooth technology.*

- o *The Bluetooth function on the phone must be activated to specific settings of "Visible", 'Show to all' or 'find me'.*

- o *The phone must be in close proximity of the Bluetooth site.*

- o *A person must physically accept that they want to receive the download on their phone*

- o *For some phones a password is required to achieve this.*

- o *The download can not be automatically received without actively opting in.*

- o *The use of Blue tooth downloads is not new*

- *The incidence and use of mobile phones and blue tooth is high amongst the Brut Code target market and we deem this a relevant medium to use to communicate with this market.*

Suitability of material – "strip shows"

- *We assume that this refers to the blue tooth material that can only be received after the above steps are complete. These videos show a woman in a t-shirt and then her bikini top. The wording for the Brut Code is revealed as is the product range. There is also an invitation to collect more codes and a face book reference.*

- *We dispute that these videos are in any way 'strip shows'*

- o *All the women in the advertisement are portrayed as attractive, smiling and happy people.*

- o *There are no sexual references or nudity*

- o *All are dressed in clothing or tasteful bathing suits as you would see in shopping malls, on any beach, at a public pool or on TV in soaps such as Neighbours, Home and Away or Bluewater High.*

THE DETERMINATION

The Advertising Standard Board ('the Board') considered whether the advertisement complied with the AANA Code of Ethics ('the Code').

The Board noted the complainant's concern that this advertisement promotes the objectification of women.

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

The Board first considered whether the advertisement complied with section 2.3 of the Code: '...shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone'.

The Board considered that the advertisements are not sexually suggestive and do not contain nudity. The Board noted that the audience is limited to people with Bluetooth enabled mobile phones and that this is unlikely to include younger children but would be likely to include many children of high school age. The Board considered that the advertisement did treat sex,

sexuality and nudity with sensitivity to the relevant audience and that the advertisement did not breach section 2.3 of the Code.

The Board then 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 ...sex.'

The Board noted that there is no relationship between a woman in a bikini and the product being advertised and considered that the women are objectified. In particular the Board considered that associating the women with a Code number and suggesting that more 'revealing' Codes will be revealed is designed to encourage the viewing of the women as they remove their shirts. This double entendre about the 'revealing' of the Codes is clearly intended to refer to women taking off their tops in addition to 'revealing' what the message of the next Code is.

The Board considered that the general community would find the portrayal of the women unacceptable and without justification in the context of the products advertised and in the media utilised. On this basis the Board determined that the advertisement did discriminate against women and is in breach of section 2.1 of the Code.

Finding that the advertisement breached section 2.1 of the Code the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

I hereby confirm that we have discontinued the Blue tooth advertisement.