



Case Report

1	Case Number	0165/10
2	Advertiser	Unilever Australasia
3	Product	Toiletries
4	Type of Advertisement / media	TV
5	Date of Determination	28/04/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens with image of the new Lynx Twist Threesome products, a silhouette image of a man and two females, and as each product is presented by the robotic arm, a different scene plays out in the background.

First the wash is presented when we see two females soap up the man in the shower and then the man is sprayed all over his body and when things hot up the girls go to work spraying flirtatiously under the man's arms. End image: the robotic arm presents the new Lynx Twist 'dry' antiperspirant with caption: shower, spray and play with new Lynx Twist"

THE COMPLAINT

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

I think that we need to protect the teenage and young adults from exposure to this sort of unhealthy and degrading sexual referance to the act of sex .

Why do we need the young to see this sort of thing Ii am sure we can promote this Lynx product with out this reference to such a style of sexual acts. This world needs our young to understand that this is not a normal sexual act.

Depicts women as sexual objects and promotes promiscuity.

THE ADVERTISER'S RESPONSE

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

Lynx is a brand with a history of fun, tongue-in-cheek, playful advertising. Lynx also has a proud history of award winning commercials which both entertain and surprise its consumers. We submit that the TVC continues this tradition of tongue in cheek entertainment and that the intended young adult male audience understands the playful and hyperbolic nature of the TVC and its distinction between fact and fiction.

CAD provided the TVC with a “G” (General) rating whereby the TVC may be broadcast at any time except during P and C (Children’s) programs or adjacent to P or C periods.

Unilever has taken great care to ensure that the TVCs have been placed in G rated programming. The TV media buying is targeted at the young adult male audience and as such the spot placements are amongst programming that is targeted at its intended audience. The humour and content of the TVC is consistent within the context of this programming.

3. Compliance with AANA Code of Ethics

3.1 Section 2.3 Advertisements shall treat sex, sexuality and nudity with sensibility to the relevant audience and, where appropriate, to the relevant programme time zone.

We submit that the TVC does not contain any overt or ambiguous treatment of sex, sexuality and nudity. At no point does the TVC show any open references to sex, sexuality or nudity. The TVC consists of three short episodes in which three Lynx products are presented by a robotic arm: Lynx Shower Gel, Body Spray and Anti Perspirant. The TVC shows silhouette images of a young man and two young women. The first episode is the “Wash” episode. The two young women are washing the shoulders and arms of the young man with Lynx Shower Gel. The second episode is the “Body Spray episode in which the two young women are spraying the young man’s body with Lynx Body Spray. In the final episode the young women are spraying Lynx Dry Anti Perspirant under the young man’s arms. The TVC clearly does not show an act of sex, as raised by one of the complainants, nor does it contain a reference or indication that the man and the two women are going to have sex. Therefore the TVC does not promote promiscuity, as raised by one of the complainants.

The TVC shows the three persons as a silhouette image. It was deliberately ensured that the images are silhouette and cartoon in nature so as to minimise the reality of the TVC. The TVC is firmly set in the realms of playful fantasy and with themes constant with the style of themes that are regularly shown as content around the TVC’s placement. The fact that the three persons are shown as a silhouette does not imply that the man and/or the women are nude. The silhouettes are shown in a way that leaves it open what the three persons are wearing, e.g. swimsuits or tight body suits. The silhouettes are not showing any details that would indicate that the man and/or the women are nude.

Even if the silhouettes were to be perceived as showing nude persons (which we believe is not the case) the figures are shown with sensibility to the relevant young adult male audience, in particular the TVC does not show any details of the person’s genitals and the women’s breasts.

The voice over also does not contain any references to sex or sexuality and relates to the use of Lynx products only: “Try the new Lynx Twist Threesome. Lather up with the shower gel, then, on with the body spray. And when things really heat up, use the antiperspirant Lynx Dry. - Shower, Spray, Play with New Lynx Twist.” In this particular TVC hyperbole is used to communicate the message to the intended audience that Lynx Twist is the fragrance that changes. Because the young man is using Lynx Twist he is more attractive to women. The TVC is entirely appropriate with respect to the programme time zones and intended audience. The relevant audience in the Lynx Fever TVC is a young adult male audience who we believe will understand the humour intended.

3.2 Section 2.1: Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of [...] sex [...].

We submit that the TVC does not portray people in a way that discriminates against or vilifies a person or section of the community on account of sex. In particular, the TVC is not sexist or sexual and women are not portrayed as sexual objects as raised by one of the complainants. The TVC is created in a way that both entertains and surprises the consumer and is in no way discriminating against women. The complaint that the TVC “Depicts women as sexual objects and promotes promiscuity” is based on a misunderstanding of the TVC’s main premise. The TVC promotes the Lynx products in a playful and hyperbolic way. Because the young man is using Lynx Twist products the women are attracted to him.

Approvals

Unilever is a responsible advertiser and has numerous internal review processes, including review by Unilever’s Legal Department, and corporate relations to critique all advertisements to ensure compliance with legal and ethical considerations.

4. Conclusion

We submit that the TVC does not contain any overt or ambiguous treatment of sex, sexuality and nudity and does not portray women in a discriminating or vilifying way as the tone of the TVC is one of humour and playfulness.

In summary, we submit that the context of the TVC is well within prevailing community standards and that the TVC complies with sections 2.1 and 2.3 of the Code.

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' concern that the advertisement depicts women as sexual objects and promotes promiscuity and should not be viewable by young adults.

The Board viewed the advertisement and noted that the images are of silhouette images and there is no detail of bodies or clothing. The Board agreed that the advertisement suggests the depiction of two women washing and spraying a man and that the references to 'threesome' have a sexual connotation in addition to the reference to the three products. The Board noted that the advertisement is classified G. The Board considered that the advertisement was mildly suggestive. The Board also considered whether the advertisement depicted women as sexual objects. The Board agreed that there is a mild suggestion of sexual activity between one man and two women but that such suggestions are mild in nature and that there is no depiction of sexual or intimate behaviour in the advertisement. The Board considered that the references in the advertisement are mild and do not promote inappropriate sexual activity or promiscuity. The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and timezone and that it did not breach section 2.3 of the Code.

The Board considered the depiction of the woman attending to the man and considered that this depiction was not suggesting that all women are around to serve men. The Board determined that the advertisement did not discriminate against or vilify women and did not breach section 2.1 of the Code.

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