



Case Report

1	Case Number	0169/11
2	Advertiser	Unilever Australasia
3	Product	Toiletries
4	Type of Advertisement / media	TV
5	Date of Determination	25/05/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

Angels fall from the sky and land in the street of an Italian town. The angels get up and make their way towards a man, then one of the angels grabs her halo and throws it to the ground where it smashes.

We then see the man spraying himself with Lynx Excite and the following text appears on screen: "Even Angels will Fall."

THE COMPLAINT

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

There is no need for sex to be portrayed in every aspect of life - this ad cheapens sex and encourages men and boys that they should want to be sexually desirable and will be so if they use this product. This ad is promoting promiscuity not hygiene which is what deodorant is for. This ad also degrades women by suggesting that they will be convinced or drawn to have sex with a man if he uses the Lynx deodorant - they won't be able to resist him. The idea that women can be controlled in such a manner is insulting, degrading and has no place in a society that claims to give women equal rights with men.

Using sex to sell products is harming our society as people come to believe their worth is tied up in their sexuality. This ad was aired during programs that are highly likely to be viewed by young and impressionable teenagers not people choosing to watch what is effectively soft porn. Just because a person watches an evening program does not mean they wish to be confronted with sexual references and connotations.

The portrayal of Angels in this ad is also offensive - it mocks God and all who follow Him. As a Christian, a woman, a person concerned for the well-being of children growing up in today's society and a person who is disgusted by the constant invasion of sex into all aspects of media I request this ad no longer be aired and the standards of advertising revised.

THE ADVERTISER'S RESPONSE

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

We note that the ASB is considering the Lynx Dry Commercial in relation to an issue that falls under Section 2.3 of the Advertiser Code of Ethics. For the reasons outlined below, we do not consider that the TVC is in breach of section 2.3 (or 2.1) of the Code.

Overview

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 "P" (Parental Guidance Recommended) rating whereby the TVC may be broadcast during the following hours, except during P and C programs or adjacent to P or C periods: Weekdays 8.30am - 4.00pm; Weekdays 7.00pm - 6.00am; Weekends 10.00am - 6.00am; Exercise care when placing in cartoon and other child - appeal programs. Unilever has taken great care to ensure that the TVC has been placed in P 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.

Compliance with Sections 2.1 and 2.3 of the AANA Code of Ethics

The TVC shows an Italian town where people are going about their daily routines. Suddenly, much to the surprise of everyone one around them, women/angels start falling from the sky. They all walk towards a young man standing next to his scooter and then one after the other grab their halo's from on top of their heads and throw them to the ground. Cut to end pack shot sequence as a guy sprays himself.

Voice over and Super: New Lynx Excite, Even Angels will Fall

The TVC is not insulting or degrading towards women as raised by the complainant. It does not contain any overt or ambiguous treatment of sex, sexuality and nudity and at no point does it show any open references to sex, sexuality or nudity. The complaint that the TVC "is effectively soft porn" is without basis because all the TVC shows is that the young women are attracted to the young man. The rationale behind the Lynx Anti-Perspirants and the TVC is that men who use Lynx Anti-Perspirants feel more confident and, because they feel and appear more confident, may have more success with women.

The young women are not portrayed in a way that discriminates against or vilifies a person or section of the community on account of sex (Section 2.1). The complaint that the TVC may encourage young men "that they should want to be sexually desirable and will be so if they use this product" cannot constitute a breach of AANA Code of Ethics. The complainant's statement that the TVC "is promoting promiscuity, not hygiene" is based on a

misunderstanding of the TVC's message. The fact that the angels are drawn towards the young man does not promote promiscuity; it only implies that the young women are attracted by the young man because he is using Lynx anti-perspirant.

The complainant also states: "The portrayal of Angels in this ad is also offensive - it mocks God and all who follow Him." In this particular TVC hyperbole is used to communicate to the intended audience that Lynx Excite contains a fragrance that attracts women. In the last frame we can see a confident young man spraying Lynx Excite on his chest. The relevant audience in the Lynx

Excite TVC is a young adult male audience who we believe will understand the humour intended in relation to the use of angels in the TVC. In our opinion the TVC is entirely appropriate with respect to the programme time zones and intended audience.

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.

Conclusion

We submit that the TVC does not contain any overt or ambiguous treatment of sex and sexuality 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 Standard Board ('the Board') considered whether the advertisement complied with the AANA Code of Ethics ('the Code').

The Board noted the complainants' concerns that this advertisement mocks Christianity and promotes sexual desirability through the use of the advertised product and is inappropriate.

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

The Board considered whether the advertisement was in breach of section 2.1 of the Code. Section 2.1 of the Code states: "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 ...religion..."

The Board noted that the advertisement shows angels falling from the sky and then gathering round a young man before throwing their halos to the ground, and then we see the man applying Lynx deodorant with the tagline "even angels will fall".

The Board considered that although the depiction of angels breaking their halos in the advertisement could be considered offensive to some people with very strong Christian beliefs, in the Board's view the overall tone of the advertisement is lighthearted. The Board considered the advertisement does not denigrate or discriminate against Christ or Christians.

Based on the above the Board considered that the advertisement did not discriminate against or vilify any section of the Community and that the advertisement did not breach Section 2.1 of the Code.

The Board then considered whether the advertisement complied with Section 2.3 of the Code. Section 2.3 states: ‘...shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone’.

The Board considered the reference to the angels being attracted to the man because he is wearing Lynx deodorant is meant to be humorous and noted that there are no explicit sexual references made in the advertisement, and no unnecessary nudity. The Board noted that the man is shown spraying deodorant on his torso and considered this is in keeping with the nature of the product being advertised and is commonly used in advertisements for body sprays.

The Board considered that the sexual innuendo was very mild and would not be understood by children. The Board noted that this advertisement has been rated PG by CAD. The Board considered that the content of the advertisement was suitable for the PG rating and that most members of the community would find the advertisement to not be inappropriate.

Based on the above the Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach Section 2.3 of the Code.

The Board then considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided.”

The Board noted that the accompanying music contains the lyrics ‘sexy boy’ and considered that the word sexy is relatively mild and inoffensive.

The Board determined that the advertisement did not breach section 2.5 of the Code.

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