



Case Report

1	Case Number	0177/12
2	Advertiser	Coles
3	Product	Retail
4	Type of Advertisement / media	TV
5	Date of Determination	23/05/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.5 - Language inappropriate language
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

The complaint refers to two separate flybuys television advertisements, both of which aired nationally.

Advertisement 1

Comedian Dawn French appears in a press conference environment delivering information about the fly buys partners, and is seen on the street with a trolley personally delivering the flybuys activation envelopes to various households. In the final scene she comments to a man in his front garden trimming his bush, "Nice bush!"

Advertisement 2

Dawn French appears in a press conference environment delivering information about My5, and is seen in a Coles supermarket engaging in humorous exchanges with customers while informing them about My5. She comments to one male customer that he can "take 10% of your sausage".

THE COMPLAINT

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

There are 2 different versions of the ad; in one Dawn French approaches a customer and says "I can take 10% off your sausage" in the other she makes a comment "Nice bush" at the

end of the commercial. I find the double entendre to be distasteful and unnecessary in a prime time ad when children are likely to be watching.

The two ads are sexist and one sided. If allowed than males should be allowed to inappropriately touch the breasts of females or make statements re items similar to sex toys, twin boob like coconuts etc.

THE ADVERTISER'S RESPONSE

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

Coles notes that the essence of the complaint is that a separate line in each advertisement is distasteful and unnecessary. The relevant lines and their context are as follows:

- Dawn French is seen personally delivering mail to various people standing near their letterboxes, and after handing an envelope to a man who is trimming a cypress bush with a pair of secateurs she comments "nice bush"; and*
- Dawn French is seen walking through a Coles supermarket advising various people that they can save 10% on their favourite products through My5, and when she approaches a man who is standing in the fresh meat department holding a packet of sausages she comments "take 10% off your sausage".*

We assume the complainant objects to the above two comments under sections 2.4 and 2.5 of the AANA Advertiser Code of Ethics which deals with treating "sex, sexuality and nudity" with sensitivity, and only using language which is appropriate in the circumstances.

Dawn French is a respected and internationally recognised comedian and comedy writer. She is most famous for her starring role for 13 years in the Vicar of Dibley in which she plays an unconventional and irreverent vicar with a flair for tossing out potshots and double-entendres. Unsurprisingly the tone of both advertisements in question is light hearted humour, and the interaction between Dawn French and others in the advertisements is delivered in a fun and jovial manner. The two comments highlighted above are not delivered out of context, and while it is possible to interpret a secondary meaning from each comment, we do not agree this could be classified as treating sexuality insensitively, or using language that is inappropriate.

Coles is satisfied that the advertisements in question do not breach the AANA Advertiser Code of

Ethics, and I trust that the information set out above addresses any concerns the Advertising Standards Bureau may have in relation to this complaint.

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 advertisements feature double entendres which are distasteful and inappropriate.

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

The Board considered whether the advertisements were 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 noted that there are two versions of the advertisement with Dawn French making the comments, "nice bush" and "take ten percent off your sausage".

The Board considered the advertisement featuring the phrase, "nice bush" and noted that Dawn says this to a man who is in his garden trimming shrubs. The Board noted that whilst some members of the community may consider this statement to be a double entendre in the Board's view it is very mild, and is said in the context of a man in his garden next to a bush. In the Board's view the comment does treat sex, sexuality and nudity with sensitivity.

The Board then considered the advertisement where Dawn tells a male customer that he can take ten percent off his sausage. The Board noted that in this instance the setting is a Coles supermarket and the male shopper is holding a packet of sausages when Dawn makes the comment. The Board noted that although this comment is also suggestive of a double entendre it is said to a man holding sausages and is unlikely to be understood by children.

In the Board's view most members of the community would consider the two versions of the advertisement to be mild and a bit cheeky but not inappropriate.

On this basis the Board determined that the advertisement did depict sexuality with sensitivity to the relevant audience and that it did not breach section 2.4 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 (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided".

The Board noted that the words 'bush' and 'sausage' are not of themselves words which would be considered strong or obscene. The Board considered that whilst some members of the community may find their usage to be suggestive of a double entendre in the Board's view they are not words which would be considered inappropriate in the context of the advertisements. The Board considered that the words used in both advertisements are not strong, obscene or inappropriate.

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.

