



Case Report

1	Case Number	0184/15
2	Advertiser	Urban Purveyor Group
3	Product	Food / Beverages
4	Type of Advertisement / media	Billboard
5	Date of Determination	13/05/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement features an image of a woman holding some beer steins. Her dress is low cut, revealing some of her cleavage, and the text reads, "Wunderbra! Lowenbrau.com.au".

THE COMPLAINT

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

The ads clearly objectify women. They're unimaginative and offensive.

This campaign sexually objectifies women bordering on the point of promoting sexual harrassment. One social media post states "Bigger is better- dont you agree? We've got big biers, big meals and big... fun" alongside of close up picture of one of their waitresses breasts, practically inviting punters to come to Lowenbrau to touch their employees inappropriately. I am also offended by the billboards promoting a sexist view of women as sexual objects for mens pleasure (to be oggled whilst downing beer) which I've seen plastered around Southern Cross Station in Melbourne as well as on buses.

THE ADVERTISER'S RESPONSE

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

We appreciate the concern, however strongly believe that the complaint comes from a misconception of a traditional Bavarian experience and therefore misinterpretation of the intention and motivation of the advertisement, and indeed, our business as a whole. When viewed both individually and as part of the whole campaign in the context of Bavarian tradition we believe that the ad accurately represents an authentic take on the Bavarian cultural experience, epitomized by Oktoberfest and Lowenbrau Keller.

We believe the imagery is an accurate reflection of a cultural experience. As can be seen from this advertisement, other advertisements in the campaign as well as the uniforms of our staff, we are simply representing tradition, specifically the Dirndl, which is worn across Bavaria and indeed is the uniform of our female staff.

The idea that this vilifies gender or discriminates is taking a particularly narrow view of the images intention. The image of a smiling woman carrying Steins, we believe is an accurate representation of the Oktoberfest experience, where 6 million people of all ages, drink, dine and celebrate a fantastic shared tradition that has gone on for over 200 years. To suggest that this advertisement is targeted at either males or females specifically is to ignore the core Bavarian celebratory experience that we are promoting.

We believe we have been misrepresented as a nightclub or bar experience, when in fact we are a family owned, family fun, restaurant business servicing a huge range of guests across all age groups. We have been running authentic Bavarian experiences for over 40 years, with our flagship Venue the Lowenbrau Keller being a landmark venue for all Sydneysiders.

Supporting this claim is that this complaint has come in isolation, despite the campaign running across multiple mediums and reaching over 4 million Sydneysiders.

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 concerns that the advertisement contains images that are sexist and offensive and demeaning to women.

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

The Board first considered whether the advertisement complied with Section 2.2 of the Code which states, “Advertising or Marketing Communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted that the image features a woman dressed in Bavarian-style clothing (dirndls). The neckline of her blouse is very low and there is cleavage visible. The woman is holding four steins of beer. The text reads “Wunderbra.” The website details of Lowenbrau.com.au are also present in the image.

The Board noted that the advertisement is a promotion for the venue the “Lowenbrau” which is a Munich-style restaurant in Sydney set up to replicate a traditional bier-hall environment. The Board noted that the campaign features images which would appeal to the target demographic of 18-30 year old men and women who would likely attend the restaurant/bar.

The Board considered that there was a clear connection with the style of clothing and the type of venue.

The Board noted the complainant's concern that the image of the woman is degrading and offensive.

The Board noted that the blouse of the women is low cut and that the cleavage of the women is significant. The Board considered that the style of dress was consistent with the traditional style of clothing and noted that although there was cleavage visible, the women's breasts were not exposed.

The Board noted that the woman is smiling and has an open and happy face and she is not posed in a sexual way.

The Board noted that the complainant has provided that Wunderbra is a misappropriation of the German word "wunderbar" meaning "wonderful". The actual advertisement uses the slogan "wunderbra" which would be recognized by some members of the community as a play on the term "wonder-bra," meaning a women's brassiere. The Board noted that the use of this terminology is intended to be lighthearted and clever but as a slogan under the existing image does not amount to an overall tone that is degrading to women.

The Board considered that showing the bust of women in this manner was not degrading to the woman and was not using sexual appeal in a manner that is both exploitative and degrading and did not breach Section 2.2 of the Code.

The Board then 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 Board noted that the images did not contain any nudity and that the model was completely covered by her Bavarian dress.

The Board noted that they had dismissed the same image on public transport reference 0182/15.

The Board considered that the placement of the image on a billboard would mean that it would be viewed by a broad audience but considered that in the context of a promotion for this particular venue, the material did treat 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 Board dismissed the complaint.