



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0185/15</b>
<b>2</b>	<b>Advertiser</b>	<b>Urban Purveyor Group</b>
<b>3</b>	<b>Product</b>	<b>Food / Beverages</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Billboard</b>
<b>5</b>	<b>Date of Determination</b>	<b>13/05/2015</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women

## DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement features two blonde women, one of whom is drinking from a beer stein. The text reads, "Make mein a dubbel. Lowenbrau.com.au".

## THE COMPLAINT

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

*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.*

*Once again Im sorry that this has been perceived in the wrong light and furthermore I would be happy for you to come in and experience this Bavarian culture first hand at Lowenbrau Keller.*

## **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 two women dressed in Bavarian-style clothing (dirndls), holding and drinking beer from a stein. The text reads “make mein a dubbel.” 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 an 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 complainants concern that the images of the women in are degrading and offensive.

The Board noted that the blouse of the women is low cut and that the cleavage of the women is obvious. 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 image showed one woman drinking the beer herself and the women were not seen serving patrons.

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 models were completely covered by their Bavarian themed dresses.

The Board noted the double entendre relating to "make mein a dubbel" (meaning the Belgian beer) and "make mine a double" suggesting either more than one beer or in connection with the image, likely to be suggesting "more than one woman." The Board noted that the double entendre is mild and that it is unlikely to be understood by children. The Board noted that the concept of two women might be offensive to some but in the Board's view not inappropriately sexual.

The Board noted that it had recently dismissed the same image on public transport (ref: 0142/15) and consistent with that decision, the Board considered that in the context of the promotion of the 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.