



Case Report

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| 1 | Case Number | 0188/16 |
| 2 | Advertiser | Pacific Brands Holdings Pty Ltd |
| 3 | Product | Lingerie |
| 4 | Type of Advertisement / media | TV - Free to air |
| 5 | Date of Determination | 27/04/2016 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

There are three versions of this television advertisement, each featuring two men sitting in hanging 'egg' chairs as representations of mens' testicles. Each advertisement opens with a disembodied voice introducing itself as the brain.

Trim: The brain tells 'the boys' that there's going to be a trim. We hear the sound of an electric razor and the boys jiggle about and laugh.

Cycle: The brain tells the boys that he has decided they are going for a cycle. The boys respond to say they think this is a bad idea.

Talcum Powder: The boys tell the brain that they are still wet and then we see them sprayed with talcum powder.

Each version ends with an image of a man wearing Bonds' underwear with the text, "The boys go through a lot. They deserve very comfy undies".

THE COMPLAINT

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

I do not wish to have ads that make me see or focus on men's testicles.

In such an early time slot this is highly inappropriate and distasteful. The jokes made about male genitals should not be aired in this time slot

How do you explain it to young children we found it very offending how do you describe it to young girls.

I was offended by the content of the advertisement and their representation of the male genitalia. I have no problem with sex or sexuality but the advertisement made me feel uncomfortable and that it was unnecessarily specific about the genitalia rather than the product it was there to represent.

THE ADVERTISER'S RESPONSE

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

We write in response to complaints against the Bonds 'The Boys' campaign, specifically relating to the following section of the AANA Code of Ethics:

2.1 - Discrimination or vilification

2.2 - Exploitative and degrading

2.3 - Violence

2.4 - Sex, sexuality and nudity

2.5 - Language

2.6 - Health and Safety

Bonds is a brand that Australians have known and loved for nearly 100 years and is primarily renowned for its range of men's and women's underwear. Bonds is a progressive brand, and we are proud of the categories we operate in. They would never want to offend Australian consumers or their families.

Bonds launched the latest round of Bonds 'The Boys' campaign on 10th April, 2016. This iteration of the campaign is a follow-up to the original 2015 'The Boys' campaign which ran for a period of approximately eight weeks across paid social channels and was very popular amongst the campaign's key target audience, men aged 18-35 years. The campaign was researched prior to launching as well as being vetted by Free TV Australia – neither raised any issues or concerns.

In regards to complaints that have been made to the ASB regarding sections 2.1 – 2.6 of the AANA Advertiser Code of Ethics, we take the opportunity to refute these as follows:

In reference to sections 2.1 and 2.2, we strongly disagree that 'The Boys' campaign

discriminates, vilifies, exploits or degrades men. The intention of the campaign is to get men thinking about their undies more, not to stereotype or offend men in any way. Many men continue to wear underwear that is old, baggy and riddled with holes, only buying a new pair when they absolutely have to. Bonds want men to understand that the right pair of undies can provide support, comfort and breathability and that buying underwear more regularly is important. 'The Boys' is designed to get Aussie men thinking about everything their 'boys' go through, and highlight how important it is to look after them by making better underwear choices. The campaign is intended to entertain and make men laugh by speaking to them about undies in their language.

In reference to section 2.4 and 2.5, 'The Boys' is a metaphor for what goes on between a man's brain and his testicles in everyday situations. The metaphorical approach that is taken means that there is no overt sexual reference, sexual depiction or sexual language used. While the campaign does feature a metaphorical depiction of a pair of testicles it is done in such a moderate and 'make-believe' way (the testicles are portrayed by men dressed in lycra who talk to each other) that we don't think there is any potential for a sexualised outtake.

Bonds is a brand that is for all Australians and they take every step to ensure they don't offend their audience. Research undertaken by Bonds prior to launching the campaign indicated that close to 3/4 of Aussies found the ads light-hearted and funny (74%), with 84% of those surveyed said they were not offended by the ads. This research was conducted with 500 Australian men and women aged 18-54 and there was no feedback that anyone found the ads to be sexualised or that the language used in the ads was offensive or overtly sexual in any way. Alongside the research results, the large volume of overwhelmingly positive commentary about the campaign from men and women on Bond's social channels suggest that it is being received in the manner in which it was intended by the vast majority of Australians.

In relation to sections 2.3 and 2.6, we believe these sections to be irrelevant to this campaign as 'The Boys' in no way promotes violence or danger to health and safety.

It is worth noting that during the development of the campaign we submitted the scripts to Free TV Australia for recommendation and advice on ensuring the final product developed wasn't going to offend the audience. All of 'The Boys' TVCs have been reviewed by Free TV Australia, and all have been given a CAD rating of Parental Guidance (PG).

Lastly, Bonds retail partners (including majors such as Myer, David Jones, and Harris Scarfe) have supported the campaign by displaying 'The Boys' POS in their stores.

We trust upon receiving our written response that you will agree that the Bonds 'The Boys' campaign does not breach the AANA Advertiser Code of Ethics.

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' concerns that the advertisement depicts and discusses male genitalia and is not appropriate for children to view.

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

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 there are three versions of this television advertisement, each featuring two men wearing gold outfits and sitting in hanging golden 'egg' chairs. The Board noted that in each version the men communicate with a disembodied voice which introduces itself as the brain.

The Board acknowledged that some members of the community would prefer that no references were made to the content of men's underpants in an advertisement but considered that in the context of an advertisement for men's underwear it was not inappropriate to discuss the comfort and fit.

The Board noted that in each version of the advertisement the final scene shows a close up of a man wearing Bonds' underwear. Consistent with a previous determination in case 0374/15 the Board considered that this depiction of a man in underwear is relevant to the advertised product, is not sexualised or intended to be sexually suggestive and the level of nudity is consistent with similar advertisements for underwear (0251/15, 0320/15, 0329/15, 0329/15).

The Board noted the complainants' concerns that the advertisement depicts male genitalia. The Board noted that the two men in the advertisement are intended to be the personification of male testicles but considered that the manner in which they are depicted is not graphic and the men do not look like actual testicles. Further, the Board considered that the metaphorical depiction of the male testicles is done in a light-hearted, humorous manner which mitigates any potential sexualised interpretation of the advertisement.

The Board noted the complainants' concerns that the advertisement discusses male genitalia. The Board noted that the brain has discussions with the two men and considered that whilst most adults would understand the implied relationship between the brain talking to the testicles in the Board's view it is unlikely that children would. The Board noted the complainants' concerns about having to explain this advertisement to children and considered that the way in which the advertisement presents the men representing testicles is discreet and ambiguous enough that parents have a lot of control over how they explain the advertisement.

The Board noted the complainants' concerns that the advertisement is not appropriate for children to view. The Board noted that all three versions of the advertisement had been rated 'PG' by CAD and considered that the level of suggestion in the advertisement is relatively discreet and not inappropriate in the context of the PG audience which would include children.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

The Board 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 two men never declare themselves to be the personification of a man’s testicles, it is only ever implied, and considered that the language used in the advertisement is mild and not sexually suggestive or explicit. The Board noted that in each version of the advertisement we see text on screen, superimposed over a visual of the two men, which reads, “Your boys go through a lot”. The Board noted that the phrase, “Your boys” is referring to testicles and considered that this colloquial reference is very mild and unlikely to be considered offensive by most members of the community.

The Board noted that some members of the community might be uncomfortable with the subject matter but considered that overall the language used in the advertisement was not strong or obscene and was not inappropriate in the circumstances.

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 complaints.