



Case Report

1	Case Number	0219/12
2	Advertiser	West Brew T/As Brewcraft
3	Product	House Goods Services
4	Type of Advertisement / media	TV
5	Date of Determination	12/09/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

A male voice over talks about the Brewcraft sale where you can buy brewing materials up to 60% off. There is a woman in the advertisement using the products and at the end the voice over says that the barmaid is not included in the sale.

THE COMPLAINT

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

In the advertisement there is a "barmaid" showing the items that are for sale and in the ending line it shows the barmaid again and it states "Barmaid not included. My issue is that women ARE not for sale they are not to be traded given or taken so having an advertisement that states the bar maid is not included reduces women to an item and thus implies that they can be sold or given or included in sales. I think this gives people the wrong impressions of what is considered allowable in Australia.

THE ADVERTISER'S RESPONSE

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

We have talked this over on several occasions, and have decided that there was not much to say in reply, thus our silence. In our opinion, the ad is not in anyway undermining or demeaning to woman as per the complaint brought to our attention by your department. We feel that the most likely reason for the complaint is a jealous member of the opposition, given that we are market leaders and that no other WA brew stores are in a position to advertise on television, particularly in this economic climate. We are the biggest and longest standing business in this industry. We do not point and shoot from the hip. TV advertising is a large part of our marketing budget and the content of the advertisements and our reputation are taken seriously. 32% of our loyal member database are women and not one of these women have ever complained of this ad... I would like to point out a couple of ads that came to my mind when this issue was raised by your department:

- *Kleenex and Cottonelle and the 'bum' sniffing*

- *Bayswater Hire Cars 'No Birds'*

I would be very happy to take statements from these members should the need arise, however, I believe this complaint to be an utter waste of time and money and look forward to the panel reviewing in our favour in due course.

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 advertisements uses images and voice over that implies that women can be bought which is demeaning to women.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.'

The Board noted that advertisement shows scenes of products available within the store and depicts a woman brewing, pouring and tasting a beer. The voice over describes all the products and equipment available and on sale and mentions at the end of the ad that the barmaid is not included.

The Board noted the complainant's concerns that the woman in the advertisement is represented in a manner that makes it seem that she is part of the sale items available in store.

The Board considered that the depiction of a woman pouring beer and displaying the functionality of the types of products and equipment available does not of itself amount to a depiction which could be considered demeaning by most reasonable members of the

community.

The Board considered that the use of the voice over to announce the sale items was appropriate for the style of advertisement and the inclusion of the phrase “barmaid not included” was a light-hearted attempt at humour that was not suggestive of the woman actually being available for purchase at any time.

The Board considered that most members of the community would understand that the barmaid was not being depicted as an ‘item’ for sale and that the phrase was genuine in its attempt to be humorous.

The Board determined that the material depicted did not discriminate against or vilify any person or section of the community on account of gender and did not breach Section 2.1 of the Code.

The Board then 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 women in the advertisement was actively participating in the brewing and pouring of the beer and was not presented in a manner that was sexualised. The Board considered that the depiction of someone using the equipment was relevant to the product being sold and was appropriate for the audience who would be interested in the product, i.e. adults over the age of eighteen.

The Board noted the complainant’s concerns that the advertisement reduces women to an item. The Board noted that the woman is fully clothed, she is smiling and enthusiastic about the products and appears happy to demonstrate how to use the product.

The Board considered that the woman is not presented in a sexual way and is not portrayed in a manner which could be considered exploitative and degrading.

The Board determined that the advertisements did not employ sexual appeal in a manner which is exploitative and degrading and did not breach Section 2.2 of the Code.

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