



Case Report

1	Case Number	0231/11
2	Advertiser	Kimberly-Clark Aust Pty Ltd
3	Product	Toiletries
4	Type of Advertisement / media	TV
5	Date of Determination	13/07/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity - Sexualization of Children

DESCRIPTION OF THE ADVERTISEMENT

A female voice over says that a survey shows that most women prefer to wear their daggy underwear when they have their period and then goes on to describe how the new features of U by Kotex will allow women to feel confident to wear their good underwear instead. We see images of various women wearing different types of underwear.

THE COMPLAINT

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

I have seen it on several channels including the Biography channel. Ironically we are telling our young ones not to post intimate pictures of themselves on their Facebook because they could be viewed by potential pedophiles or other perverted individuals. We do this in order to keep our children safe right? Yet here we have a supposedly mature professional company that are promoting their product while using 'children' (young girls) that are undressed and wearing their 'undies'! Then as they shake their bottoms you hear a "pervert" whistling provocatively at these pubescent young girls! Now where is the logic please behind this type of contradiction?! I find this offensive and downright immoral! I am a mother as well. Are we training our young girls to think of themselves as sexual objects? Hello?! Are some of these promoters not parents themselves!? As responsible adults they no doubt profess to be against child pornography but then minimize the effect of scantily clad youngsters in their advertisements. I feel that this is an exploitation and a complete contradiction of the moral standard that adults should be setting for our young ones.

THE ADVERTISER'S RESPONSE

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

This campaign is the result of extensive research and discussions with the young women to whom we advertise (including an independent study by Lonergan Research, January 2011 – national survey of 400 women).

We then used the consumer insights to brief our advertising agency, who developed this advertising concept. In quantitative research testing, we found that young women enjoyed watching the TVC and they felt more confident after seeing the advertisement (Millward Brown Link Testing, March 2011).

The advertisement conveys that 72% of young women have worn their “daggy undies” when they have their period, a fact uncovered from our independent research by Lonergan Research. It then communicates that U by Kotex® has developed Ultrathins that provide trusted protection so that women can feel confident to wear their good underwear any time they want. The advertisement aims to communicate this message in a fun and entertaining way.

Kimberly-Clark Australia markets numerous products and maintains the highest standards possible in promoting those products. We are serious about being a responsible corporate citizen and are always mindful that our advertising should be acceptable to community standards.

In this respect, we note that the complainant states that the TVC “includes young girls of about 13 years of age”. We wish to stress that our advertising agency has confirmed that all women featured in their underwear (frames 1, 13 and 14) are aged 19 years and above. The complainant also states that there is a “pervert” whistling provocatively and that the advertising may train young girls to think of themselves as “sexual objects”. The young women with whom the advertising was researched found the advertising distinctive, interesting and involving, and not disturbing, unpleasant or irritating. The key messages that the young women take out from this advertising are that U by Kotex® “is a brand that allows me to wear good undies during my period” and that U by Kotex® “is fun” (Millward Brown Tracking Research, July 2011). The aim of including this whistle was consistent with this take out; to make the advertising playful and fun, and to increase confidence for our target audience to wear their good underwear during their period.

Kimberly-Clark Australia takes great care in ensuring commercials appear in appropriate programming times. Our media agency, Mindshare, has confirmed with MCN that the TVC was not aired on the Biography channel. We also note that the TVC has been granted a PG rating and are therefore strictly aired in accordance with the appropriate time zones.

We submit that this complaint did not breach Section 2.3 of the AANA Advertiser Code of Ethics. The depiction of women in their underwear is treated with sensitivity in promoting confidence in women during their period and is an integral part of communicating the key message of the advertising.

We further note that all Kimberly-Clark advertising requires stringent internal approvals. The final script was approved internally under this process.

We believe that the TVC complies with 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 complainant’s concerns that the advertisement features young girls in their underwear and is inappropriately sexualised.

The Board reviewed the advertisements and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone”.

The Board noted the advertisement is for Kotex Sanitary Pads and features young women in their underwear or fully clothed. The Board noted that the message of the advertisement is that woman can feel confident wearing their ‘good underwear’ if they use this product.

The Board noted that some members of the community may be uncomfortable with the nature of the product being advertised however the Board noted that this product is legally allowed to be advertised. The Board noted that the advertisement has been rated PG by CAD.

The Board noted the advertiser’s response that the models used are aged 19 years or older and considered that the girls do not look inappropriately young.

The Board noted the complainant’s concern that during a close up of three girls in their underwear you can “hear a pervert whistling in the background”. The Board noted that the overall tone of the advertisement was lighthearted and that the whistle was accompanied by background music. The Board considered that the whistle was not provocative or sexual but lighthearted and playful.

The Board noted that the advertisement features close ups of girls’ underwear however the Board considered that these images were not sexualised but were used to illustrate the accompanying voiceover about the types of underwear women wear when they have their period. The Board considered that the advertisement was not inappropriately sexualised and that it treated its topic with sensitivity to the relevant PG audience.

Based on the above the Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach Section 2.3 of the Code.

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

