



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0246/17</b>
<b>2</b>	<b>Advertiser</b>	<b>Mondelez International</b>
<b>3</b>	<b>Product</b>	<b>Food and Beverages</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>07/06/2017</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a woman in her mid-thirties making and then eating her PHILLY cream cheese and blueberries on toast in a kitchen, with a narrative that reads like a romantic novel: “Toast popped, her heart leapt. Clutching the knife, she plunged it deep inside the thick, creamy, PHILLY. Smoothing it over, she pushed in blueberries, then devoured her creation.”

## THE COMPLAINT

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

*It makes me feel icky! They're sexualising the way they use cream cheese and the wording sounds pornographic.*

## THE ADVERTISER'S RESPONSE

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

*Thank you for providing us with the opportunity to respond to the complaint regarding the 'Philadelphia Cream Cheese Blueberries' television commercial.*

*As a significant food manufacturer and advertiser, Mondelez International has an important role that we take very seriously in marketing and advertising our products responsibly and appropriately.*

*The complainant has raised an issue that falls within the Australian Association of National Advertisers (AANA) Advertiser Code of Ethics. The complainant states they find the TVC 'icky' and claims that the ad 'sexualises' the way cream cheese is used and the wording 'sounds pornographic'.*

*On review of the complaint received and examination of information surrounding the development and placement of the Philadelphia Cream Cheese Blueberries TVC, we believe that the TVC is consistent with the principles outlined in the AANA's code due to the following reasons:*

- The TVC is designed to appeal to consumers and in no way intended to offend members of the wider community.*
- The language, sounds and visuals are appropriate for the relevant audience and medium, and are cheeky rather than sexual.*
- Conscious of the need to ensure that the ad was aired during programs with an appropriate audience, the TVC was submitted to CAD for formal approval and rating. CAD advised that the TVC was rated 'W' and as such, the ad placement reflects this rating; the TVC has only been placed in programs rated at least 'PG'. Additionally, the media schedule that Mondelez International bought to air the Philadelphia Cream Cheese Blueberries TVC is primarily targeted to grocery buyers aged between 25-54 years.*
- Viewers are left with a very clear understanding that the TVC is for Philadelphia Cream Cheese.*
- We believe that the Philadelphia Cream Cheese Blueberries TVC complies with AANA Codes and does not contravene any prevailing community standards.*

## **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 that the advertisement uses sexualised language to describe cream cheese which is not appropriate.

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

The Board 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 this television advertisement features a female voiceover describing a woman making cream cheese and blueberries on toast in the manner of a romantic novel.

The Board noted the advertisement features the audio, “Toast popped, her heart leapt. Clutching the knife she plunged it deep inside the thick, creamy, Philly. Smoothing it over, she pushed in blueberries, then devoured her creation.”

The Board noted the complainant’s concern that the advertisement sexualises cream cheese. The Board noted that the voiceover does speak in a manner reminiscent of a romantic novel but considered that the overall tone is suggestive of the pleasure of eating the product rather than any sexual reference.

The Board noted that the woman in the advertisement is shown at the end to eat the cream cheese and blueberries on toast and considered that her actions are not sexualised and her clothing is not revealing or inappropriate. Overall the Board considered that the advertisement did not depict sex, sexuality and nudity and 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 the complainant’s concern that the wording in the advertisement is pornographic but considered that the actual words used are not sexual and while the woman is speaking as though narrating a romantic novel the accompanying visuals match the words: the woman is preparing toast with cream cheese and blueberries. The Board considered that the language used was clearly referring to the food shown and was not pornographic.

The Board considered that the advertisement did not use strong, obscene or inappropriate language and 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 complaint.