



Case Report

1	Case Number	0255/10
2	Advertiser	Cadbury Pty Ltd
3	Product	Food and Beverages
4	Type of Advertisement / media	TV
5	Date of Determination	22/06/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

A young man brings a young woman back to his home and there is a giant Boost bar on the chair. It is not in any wrapping. It has a conversation with the man, asking him who the woman is and telling the man that "she is picturing me naked". The ad ends with the tagline "That's how you do it smooth pants."

THE COMPLAINT

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

Do we really need to have a chocolate bar being overtly sexual ???? i mean to say.... really poor standards cadbury you ought to be ashamed.

THE ADVERTISER'S RESPONSE

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

As the complaint is raised under section 2.3 of the code, we have dealt with this section in detail below. We also believe that the advertisement does not breach any other section of the code.

We are dealing with a purely made up fantasy world where a chocolate bar speaks. The construct of the advertising was carefully designed to be ridiculous and silly to ensure that no references in vision or dialogue could be taken literally. A speaking chocolate bar which is wrapper less could be seen as a nude bar in fact - an example of the intended hyperbole. Further we need to remember that the bar refers to being 'pictured naked', and that the he is an oversized inanimate chocolate bar. All reality has been suspended here and the audience is taken on a totally fanciful ride. The classification and subsequent media target audience is M (persons 15 yrs and over and broadcast after 8.30pm), a further guarantee that in no way can the content of the ad be seen as inappropriate.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the "Code").

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states that 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 viewed the advertisement and noted the advertiser's response that the advertisement was not screened during children's programming and with the "M" CAD classification was screened post 8.30pm and targeted at a mature audience.

The Board noted the advertisement featured an oversized, unwrapped (naked), talking Boost chocolate bar.

The Board noted the double entendre used in the dialogue between the man and the chocolate bar and considered the dialogue, and the image, is not sexually explicit and its impact is lessened by the fact that the dialogue is held by an inanimate chocolate bar. The Board also considered that most members of the community would understand that the advertisement was ridiculous and intended to be lighthearted and funny.

The Board determined that the advertisement did treat sex with sensitivity to the relevant audience and therefore determined the advertisement 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.