



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Ad Standards Limited
ACN 084 452 666

Case Report

1. Case Number :	0282-21
2. Advertiser :	Asaleo Care - Libra
3. Product :	Health Products
4. Type of Advertisement/Media :	Internet - Social - Facebook
5. Date of Determination	13-Oct-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This sponsored Facebook advertisement features the caption, "We think our Period Proof Hipster Briefs are pretty great. Find out what other bleeders have been saying about them..." Underneath are scrollable images with pictures of people wearing the products and reviews, such as, "You legends are game changers, thank you so much for creating this product!" - Elise

THE COMPLAINT

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

Instead of referring to Women as women, they referred to women as "bleeders". That is extremely sexist and derogatory term used to put down women for years. It's equivalent to using the "N" word for people of colour. I'm so shocked and I've lodged complaints with FB and directly with Libra.

Libra is referring to people who menstruate as "bleeders" reducing women to being described by a bodily function is derogatory and discriminatory. I raised this issue with Libra on the post and received a stock standard non-relevant response.



THE ADVERTISER'S RESPONSE

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

Having considered the complaint and the relevant provisions of the ASA Advertising Codes of Practice (Codes), we submit that the Libra® Facebook Ad for Libra Period Proof Undies (the Facebook Ad) the subject of the complaint complies with the Codes. Accordingly, we submit that the complaint should be dismissed.

The complaint made to ASA specifically reference a section or part of the Codes which the Facebook Ad allegedly breaches:

- *AANA Code of Ethics / 2.1 / Discrimination or Vilification\Gender*

The Code states:

Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

The complaint alleges, which we deny that the Facebook Ad is oppressive to women. For example, the complainant stated, "instead of referring to Women as women, they referred to women as "bleeders". That is extremely sexist and derogatory term used to put down women for years"

We submit that the Facebook Ad complies with Section 2.1 of the Code. There is no imagery nor words which is discriminatory, or which is degrading or vilifies women or any person on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief. Further, the language used is sensible, ordinary and in no way obscene.

Libra's strategy to break down the stigmas and taboos surrounding periods, has not wavered. Critically, it is part of Libra's brand DNA – bravely playing its part to normalise periods, breaking down the taboos of periods and menstrual blood in an inclusive way through language and or imagery.

Libra belief is that inclusive language acknowledges diversity, conveys respect to all people, is sensitive to differences, and promotes equitable opportunities. That inclusive language seeks to acknowledge and celebrate diversity, considering with sensitivity the experiences of all people.

Describing people who menstruate as "bleeders" or "menstruators" includes all people who menstruate, intended to be inclusive, acknowledging trans men and non-binary people.

In conclusion, having considered the complaint and the relevant provisions of the ASA Advertising Codes of Practice (Codes), we submit that the Libra® Facebook Ad for Libra



Period Proof Undies Facebook Ad and the subject of the complaint complies with the Codes. Accordingly, we submit that the complaint should be dismissed.

THE DETERMINATION

The Ad Standards Community Panel (the “Panel”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Panel noted the complainants’ concerns that the advertisement refers to women as “bleeders” which is a sexist, derogatory term used to put down women, reducing them to a bodily function.

The Panel viewed the advertisement and noted the advertiser’s response.

Section 2.1: Advertising shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

The Panel noted the AANA Practice Note which provides guidance on the meaning of:

Discrimination - unfair or less favourable treatment

Vilification - humiliates, intimidates, incites hatred, contempt or ridicule

Gender – refer to the attributes, roles, behaviours, activities, opportunities or restrictions that society considers appropriate for girls or boys, women or men.

Gender is distinct from ‘sex’, which refers to biological difference.

The Panel noted that some viewers may object to the suggestion that the word “woman” should be avoided in order to support transgender people, as it results in (cisgender) women (once again) being removed from public discourse.

The Panel considered that some women may be offended by a suggestion that they are being reduced to a bodily function. The Panel noted the advertiser’s response that the intention of using the word “bleeders” is to be inclusive of those who menstruate but do not identify as women rather than exclude them, noting that the advertisement is to target those who currently require a product for menstruation.

The Panel noted that over 99% of people that menstruate do identify as women both biologically and as their gender and considered that to identify them by a bodily function should be avoided.

Overall, however, the Panel considered that while the term “bleeders” may have the effect of identifying people by a bodily function they experience, the intention of its use is to target all individuals that menstruate and may require the use of the advertised product. The Panel considered that using such a term is representative of diversity and inclusion and is not intended to refer exclusively to women.



The Panel considered that the advertisement does not depict the women in the advertisement or women in general in a manner that is unfair or less favourable nor in a manner that would be likely to humiliate or incite ridicule.

The Panel noted that the message of the advertisement would have been as effective without the word bleeders – i.e. “find out what others have been saying about them” – and considered that the advertiser should be conscious of the consequences of its effort to be inclusive.

2.1 Conclusion

The Panel determined that the advertisement does not discriminate against or vilify a person or section of the community on account of gender and did not breach Section 2.1 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of the Code, the Panel dismissed the complaints.