



## Case Report

1	Case Number	0294/16
2	Advertiser	Unilever Australasia
3	Product	Food and Beverages
4	Type of Advertisement / media	Billboard
5	Date of Determination	13/07/2016
6	DETERMINATION	Dismissed

### ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

### DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement features an image of a Magnum ice-cream in front of Manu Feildel's face. The text reads, "New Chocolate Toffee by Manu Feildel. Magnum for Pleasure Seekers".

### THE COMPLAINT

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

*I feel like the advertiser is trying to suggest that the ice cream is Manu's penis and that women who buy the ice cream are indulging in the sensuous pleasure of Manu Fieldel's penis.*

### THE ADVERTISER'S RESPONSE

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

*The image on the billboard shows the TV chef Manu Feildel holding a Magnum Chocolate Toffee ice cream next to the statement "Magnum for pleasure seekers". The Magnum product has a bite taken out. Consumers will understand that the statement refers to the pleasure of eating a Magnum which is an indulgent ice-cream.*

## **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 suggests that the Magnum ice cream depicted, and the text, “Pleasure Seekers” are references to Manu Feildel’s penis.

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 billboard advertisement depicts an image of celebrity chef Manu Feildel’s face behind a Magnum ice cream.

The Board noted that the advertisement is promoting the new chocolate toffee flavoured Magnum and considered that the Magnum ice cream depicted is clearly intended to be representative of the product and not of any part of Manu Feildel. The Board noted the text in the advertisement, “for pleasure seekers” and considered that this statement is clearly in the context of the pleasure of eating the new Magnum ice cream. The Board considered overall that the complainant’s interpretation of the sexualised nature of the advertisement is an interpretation that is unlikely to be shared by the broader community.

The Board considered that the advertisement did not depict sex, sexuality or nudity and determined that the advertisement did not breach Section 2.4 of the Code.

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