



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0318/18
2	Advertiser	Wrigley Co Pty Ltd
3	Product	Food and Beverages
4	Type of Advertisement / media	TV - Pay
5	Date of Determination	25/07/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement depicts a couple, Lucy and Tom, kissing on a bed. A man calls "Lucy" from outside the room and the Lucy says "that's my dad". The couple jump off the bed and Lucy throws Tom's jeans to him. Tom removes chewing gum from the pocket of the jeans and places a piece in his mouth. The door opens to reveal Lucy's parents. Tom standing in his underwear states "Hi I'm Tom" and the father starts to smile.

THE COMPLAINT

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

Assumes young teens having sex

THE ADVERTISER'S RESPONSE

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





Advertiser did not provide a response

THE DETERMINATION

The Ad Standards Community Panel (“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 sexualises teenagers.

The Panel viewed the advertisement and noted the advertiser did not provide a response.

The Panel 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 Panel noted that the advertisement depicts a couple kissing on a bed. The boy is in boxers only and the girl is in underpants and a t-shirt. The couple realise the girl’s parents are coming and jump off the bed. The boy removes chewing gum from the pocket of the jeans and places a piece in his mouth. The door opens to reveal the girl’s parents, while the boy is still clad in only boxers.

The Panel noted they had previously considered this advertisement on free-to-air TV in case 0196/18, in which:

“The Panel noted the complainants’ concern that the advertisement showed a young couple in a passionate embrace, and that such scenes are not suitable to be broadcast at a time children could be watching.

The Panel noted the advertiser’s response that the advertisement shows two university students in a dormitory, not two teenagers in a bedroom at home. The Panel considered that that was not clear in the advertisement, however note that the characters do appear to be older than young teens.

The Panel considered that the level of nudity in the advertisement was not explicit, and noted that both actors’ genitals are covered and the girl’s breasts are not visible. The Panel considered that the situation in the advertisement was a reflection of reality and a mild suggestion of sexual activity.”

In the current advertisement the Panel noted that the couple in the advertisement appeared as older teenagers or young adults. The Panel noted the age of consent in Australia is 16 or 17 and considered that the couple in the advertisement looked at



least this age. The Panel considered that the advertisement did not sexualise minors, rather the overall effect of the advertisement was a humorous reflection of reality.

Consistent with the determination in case 0196/18, the Panel considered that both actors were still partially clothed, and that both actors' genitals are covered and the girl's breasts are not visible and that the advertisement did not contain nudity. The Panel considered that the situation in the advertisement was a realistic and humorous scenario that contained only a mild suggestion of sexual activity.

The Panel considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant Pay TV viewing audience and that it did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.

