



Case Report

1	Case Number	0348/14
2	Advertiser	Carlton and United Breweries
3	Product	Alcohol
4	Type of Advertisement / media	Billboard
5	Date of Determination	10/09/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Sexual preference

DESCRIPTION OF THE ADVERTISEMENT

The outdoor advertisement shows an adult in ice skates and a super cheesy looking orange Lycra costume complete with billowing sleeves, metallic spots and fabric cut outs. There is an Alcohol Responsibility Message logo and Cougar Bourbon bottle image. The words: "Yes. You do look ridiculous" are featured and in smaller font underneath: "Cougar Bourbon. Straight Up".

THE COMPLAINT

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

The advertisement implies that homosexual behaviour is undesirable, and to be avoided. The use of a stereotypically homosexual persona, combined with the slogan "Straight up" is anti homosexual in nature and inappropriate for an advertisement.

This ad is appallingly homophobic, and sanctions homophobic attitudes and discrimination by reducing homosexual men to objects of ridicule for 'real', i.e. 'not ridiculous' straight men. It is incredibly offensive and a gross misuse of the power that advertising has to influence social attitudes. I am incredibly disappointed that this was allowed into the public sphere.

The costume, position, and profession of the man depicted are intended to imply that he is gay. The use of the words "you do look ridiculous" and the play on words "straight up" imply that being gay is something worthy of ridicule. This is homophobic.

I object to this advertisement because it is using homophobia/transphobia to endorse a product.

This billboard is reinforcing a harmful and exclusive ideal of masculinity ie. 'Real men don't wear fancy clothes/dance/look gay - Real ('straight up') men drink bourbon'.

I find the phrase 'straight up' particularly offensive. In this context it clearly plays on the viewer's cultural understanding of the phrase 'straight' - To mean heterosexual. If the company claims to be ignorant of this association then it has been plainly negligent.

This advertisement is completely homophobic and transphobic.

It is homophobic. It is telling people to be straight and if you are not, you look ridiculous.

This ad is homophobic and transphobic.

This billboard is blatantly homophobic. By depicting an image of a male dancer, stating that he looks ridiculous, and then using the phrase "cougar bourbon, straight up" the ad is equating heteronormative standards with its product. The type of gay panic depicted in this advertisement ensures that it deliberately discriminates against and alienates a large section of the community based on their sexual identity.

The advertisement is homophobic and implies that gay men look "ridiculous".

This ad is offensive to all homosexual people (most predominantly gay males) through the use of ridicule based on someones clothing, and enforcing that "straight" is preferred.

The advertisement is blatantly homophobic. The implication is that a man wearing bright orange, figure skating and posing dramatically must be gay and that this is 'ridiculous' - cougar, by contrast is supposedly 'straight up' - a play on words capitalising on the homophobia of the target audience by linking the product to heteronormative ideas of masculinity and heterosexuality.

The advertisement uses a stereotype of gay men, and ridicules homosexual culture, using that ridicule to sell the product apparently exclusively to straight men.

This ad encourages ridicule of gay men. It is extremely irresponsible and hateful advertising that should be taken down immediately.

The implication of this advertisement is that the man is homosexual/gay and that Cougar Bourbon is for straight men. 'Cougar Bourbon. Straight up.' This is a not so subtle play on the words 'straight'. Yes straight up means just drinking the drink neat, without any mixers. But 'Straight up' also means the opposite of gay, like become straight because you look ridiculous.

The implied meaning of this advertisement is that it is ridiculous to be gay and only straight men drink Cougar.

This is homophobic and a dangerous form of homophobia because it is to a wide public audience, therefore normalizing the homophobia.

I highly suggest that you review this advertisement and Cougar's campaign as they are in

violation of Anti-discrimination rights and laws and encourages homophobia which can increase in hatred and violence amongst people.

THE ADVERTISER'S RESPONSE

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

Thank you for your recent correspondence regarding complaints for a Cougar Bourbon outdoor advertisement with reference number: 0348/14.

The outdoor advertisement in question is one of two that is currently on display in highly visible sites in Melbourne, Sydney and Perth. This advertisement will have been viewed by an estimated 580,000 adults (at least once) between August 11 2014 and September 7 2014. The latter date is when the outdoor advertisement is due to be removed. The outdoor campaign has been complemented by radio and online advertising. The Cougar campaign in its entirety is about calling out situations - that are ridiculous and unnecessary, or people - when they have gone just that little bit too far. For your reference the other outdoor advertisement currently in market features people riding Segways (a stand up electric scooter).

The outdoor advertisement shows an adult in ice skates and a super cheesy looking orange Lycra costume complete with billowing sleeves, metallic spots and fabric cut outs. There is an Alcohol Responsibility Message logo and Cougar Bourbon bottle image. The words: "Yes. You do look ridiculous" are featured and in smaller font underneath: "Cougar Bourbon. Straight Up". This advertisement is about calling out a man in an over the top costume doing some serious posing. It's important to note that the image and words in combination don't, and nor were they intended to, make a reference or judgement about the man's sexual preference. The Cougar Bourbon team and the business as a whole would never convey those kind of messages.

We don't think this image represents a definitive 'gay look' and nor was it intended to. For your background, the male talent was not cast to look stereotypically gay. Furthermore the tagline "Cougar – Straight Up" is featured on all the outdoor creative (and is a talking point in the radio campaign too) and is intended to communicate the brand personality of a humorous straight shooter (without being offensive). Yes the word 'straight' in isolation can refer to heterosexuality but in this context it's intended as a reference to a brand style. It's also worth noting that it's a common bar call for various spirits – so it can work on a number of levels. The outdoor advertisement provides a tongue in cheek comment on one man's bad costume and whilst this style of humour won't be to everyone's taste, we don't believe it could be said to discriminate or vilify (section 2.1).

The CUB marketing team takes its commitments to responsible marketing very seriously. Not only do we have internal standards and processes that must be met but we also consider both the AANA Code of Ethics and the Alcohol Beverages Advertising Code (ABAC) when we are developing our marketing collateral. For the reasons stated above we do not believe the outdoor advertisement breaches the AANA Code of Ethics. More broadly we also believe that the advertisement is compliant with the Code in its entirety. In support of this, there is a complete absence of violence, discrimination, nudity, obscene language, safety issues and any sexual themes.

This outdoor advertisement was also independently prevetted in order to ensure its compliance with the industry advertising codes. The AAPS number is 83/14.

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 complainants’ concerns that the advertisement depicts homophobic material in its suggestion that a man wearing a dancer’s outfit looks ridiculous.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that ‘advertisements shall not portray 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 Board noted that this billboard advertisement features an image of a man in a figure skating costume and the accompanying text reads, “Yes. You do look ridiculous. Cougar Bourbon. Straight up.”

The Board noted the image of the man in the skating costume and considered that this costume is consistent with figure skating attire. The Board considered that the depiction of the man is an accurate image of a man dressed in a figure skating costume. The Board considered that the image and accompanying text regarding the man looking ridiculous is a comment on the costume of figure skaters and is not a reference to sexuality.

The Board noted that the tagline includes the phrase, “Straight up.” The Board noted that this phrase is used by the advertiser in other advertising material and considered that whilst the complainants’ interpretation of the phrase ‘Straight up’ is that it refers to sexual orientation the considered that the most likely interpretation is a reference to straight talking and honesty (“Yes. You do look ridiculous”) rather than a reference to sexuality. The Board noted that ‘Straight up’ is also a serving suggestion for the advertised product and considered that overall the advertisement is not negative or demeaning towards homosexuals.

The Board considered that the advertisement did not portray or depict material which discriminates against or vilifies a person on account of sexual preference.

The Board determined that the advertisement did not breach Section 2.1 of the Code. Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.

