



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0359/11</b>
<b>2</b>	<b>Advertiser</b>	<b>Unilever Australasia</b>
<b>3</b>	<b>Product</b>	<b>Toiletries</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>28/09/2011</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

- 2.6 - Health and Safety within prevailing Community Standards
- 2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience
- 2.1 - Discrimination or Vilification Religion
- 2.1 - Discrimination or Vilification Sex

### DESCRIPTION OF THE ADVERTISEMENT

The TVC shows a man who is driving through a deserted street. People who are packing their car to leave and a flock of birds is flying away. The very confident and determined looking young man starts building something big out of timber. As he builds it, big clouds are developing as a sign that a heavy storm is approaching. The man continues to construct what turns out to be an Ark. He then continues to build the inside of the Ark including loud speakers for music and beds for accommodation, all made of wood, which shows that this Ark is not meant to be used for animals. When he is finished he sprays himself with 'Lynx 2012 The Final Edition'. In the final shot we see young women walking towards the Ark in pairs.

Super: "Happy end of the World."

Last frame: Lynx 2012 product shot

Voice over: "Happy end of the world. Lynx 2012 The Final Edition"

### THE COMPLAINT

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

*This is disrespectful of the religious traditions of Jews Christians and Muslims and causes offence by mocking trivialising and sexualising a sacred text.*

*It also portrays women in a demeaning and objectified way by substituting them for the pairs of animals that were drawn to the ark by God in the Genesis story and it is an inappropriate reinforcing of gender stereotypes.*

*I believe this ad is unsuitable for display in any medium or context.*

## **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 letter of 7 September 2011 in relation to the 'Lynx 2012 The Final Edition' Television Commercial (the "TVC"). Our comments in relation to the complaint are outlined below.*

*We note that the ASB is considering the TVC in relation to an issue that falls under Section 2.1 of the Advertiser Code of Ethics. For the reasons outlined below, we do not consider that the*

### *Overview*

*Lynx is a brand with a history of fun, tongue-in-cheek, playful advertising. Lynx also has a proud history of award winning commercials which both entertain and surprise its consumers. We submit that the TVC continues this tradition of tongue in cheek entertainment and that the intended young adult male audience understands the playful and hyperbolic nature of the TVC and its distinction between fact and fiction in relation to the way the TVC refers to religion and portrays women.*

*CAD provided the TVC with a "P" (Parental Guidance Recommended) rating whereby the TVC may be broadcast during the following hours, except during P and C programs or adjacent to P or C periods: Weekdays 8.30am - 4.00pm; Weekdays 7.00pm - 6.00am; Weekends 10.00am- 6.00am; Exercise care when placing in cartoon and other child - appeal programs. Unilever has taken great care to ensure that the TVC has been placed in P rated programming. The TV media buying is targeted at the young adult male audience and as such the spot placements are amongst programming that is targeted at its intended audience. The humour and content of the TVC is consistent within the context of this programming.*

### *Compliance with Section 2.1 of the AANA Code of Ethics*

*Under Section 2.1 of the Code advertising or marketing communications shall not portray people or depict material in a way which discriminates against or vilifies a person or a section of the community on account of sex and religion. The TVC shows a man who is driving through a deserted street. People who are packing their car to leave and a flock of birds is flying away. The very confident and determined looking young man starts building something big out of timber. As he builds it, big clouds are developing as a sign that a heavy storm is approaching. The man continues to construct what turns out to be an Ark. He then continues to build the inside of the Ark including loud speakers for music and beds for accommodation, all made of wood, which shows that this Ark is not meant to be used for animals. When he is finished he sprays himself with 'Lynx 2012 The Final Edition'. In the final shot we see young women walking towards the Ark in pairs.*

*The TVC is not disrespectful of the religious traditions of Jews, Christians and Muslims as raised by the complainant. The narrative of Noah's Ark is part of Judaism, Islam and Christianity which all are major religions in Australia. The narrative appears in the Book of*

*Genesis in the Old Testament and in the Quran describing the construction of an Ark by Noah at God's command to rescue Noah, his family and the animals from the great flood. The TVC does not single out any of these religions or any other religion.*

*In this TVC hyperbole is used to communicate to the intended audience that 'Lynx 2012 The Final Edition' contains a fragrance that attracts women. The TVC shows a very confident looking young man building a boat and then spraying 'Lynx 2012 The Final Edition' on his chest. The relevant audience in the Lynx TVC is a young adult male audience who we believe will understand the hyperbole and humour intended in relation to the references to Noah's Ark. It refers to the narrative of Noah's Ark in a playful and humorous way that does not contain any open or implied references to Judaism, Islam or Christianity other than the Ark. The use of the Lynx deodorant by the young man creates the link between the reference to the Ark, and the young women who walk towards the Ark to be rescued by the confident young man. The TVC does not contain any content that can be perceived as being discriminating or vilifying a person on account of religion.*

*The TVC does not portray women in a demeaning and objectified way by substituting them for pairs of animals and it does not reinforcing gender stereotypes as raised by the complainant. This part of the complaint is also based on a misunderstanding of the rationale of Lynx anti-perspirants and the TVC. The rationale behind Lynx and the TVC is that men who use Lynx feel more confident and, because they feel and appear more confident, have more success with women. The fact that the women are drawn towards the young man only implies that the young women are attracted by the young man who is so confident because he has used Lynx anti-perspirant. As stated above, in this TVC hyperbole is used to communicate to the intended audience that 'Lynx 2012 The Final Edition' contains a fragrance that attracts women. The relevant audience in this Lynx TVC is a young adult male audience who we believe will understand the humour intended in relation to the fact that women are walking in pairs towards the Ark. In our opinion the TVC is entirely appropriate with respect to the programme time zones and intended audience.*

#### *Approvals*

*Unilever is a responsible advertiser and has numerous internal review processes, including review by Unilever's Legal Department, and corporate relations to critique all advertisements to ensure compliance with legal and ethical considerations.*

#### *Conclusion*

*We submit that the TVC does not portray people or depict material in a way which discriminates against or vilifies a person or a section of the community on account of sex or religion as the tone of the TVC is one of humour and playfulness.*

*In summary, we submit that the context of the TVC is well within prevailing community standards and that the TVC complies with Section 2.1 of the Code.*

## **THE DETERMINATION**

The Advertising Standard Board ('the Board') considered whether the advertisement complied with the AANA Code of Ethics ('the Code').

The Board noted the complainant's concerns that this advertisement is disrespectful towards religious traditions, objectifies women, promotes gender inequality and is inappropriate in all mediums.

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

The Board considered whether the advertisement was in breach of Section 2.1 of the Code. Section 2.1 of 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, sex, age, sexual preference, religion, disability or political belief."

The Board noted the advertisement features a man building an Ark, spraying himself with Lynx deodorant and then watching as many pairs of women are drawn to his Ark.

The Board noted the complainant's concerns that the advertisement is disrespectful to religious traditions as it mocks a sacred text.

The Board considered that although the depiction of a man building an Ark and then attracting pairs of women could be considered offensive to some people with very strong religious beliefs, in the Board's view the overall tone of the advertisement is lighthearted. The Board considered the advertisement does not denigrate or discriminate against those religions who believe in the biblical story of Noah and his Ark.

The Board noted the complainant's concern that the advertisement promotes gender inequality and considered that the depiction of lots of women versus one man is a depiction which is in keeping with the overarching theme of the advertisement and is one which is intended to be humorous and to highlight the appeal of the product advertised. The Board noted that the women in the advertisement are all clothed and considered they are not depicted in a manner which objectifies women. The Board considered that most members of the community would understand that the advertisement is over exaggerating how appealing the deodorant is to women and that the situation portrayed is clearly fantastical and wishful thinking on behalf of male deodorant wearers.

The Board considered that the advertisement did not objectify women or promote gender inequality.

Based on the above the Board considered that the advertisement did not discriminate against or vilify any section of the Community and 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 complaint.

