



Case Report

1	Case Number	0403/14
2	Advertiser	Kimberly-Clark Aust Pty Ltd
3	Product	Toiletries
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/10/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

- Other Social Values
- 2.1 - Discrimination or Vilification Gender
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens on three women, dressed as cowboys, walking down the street. The voiceover is as follows:

“93% of you said you don’t like the gross feeling you sometimes get wearing a pad. You know - when you feel as if you’re walking like a cowboy.”

Visuals show one of the girls walking like a cowboy into a saloon styled café.

The voiceover goes on to say:

“That I-wish-I-could-forget-it’s-there-but-I-can’t feeling.”

Visuals show a second girl walking like a cowboy as she crosses the street.

The voiceover continues:

“So that’s why we created new U By Kotex Ultrathins – with a Rapid-Dry Core which absorbs instantly, keeping you so dry and comfortable you’ll forget it’s there.”

The last scene shows the same three girls standing in front of a high rise building tossing their cowboy hats into the air with confidence.

THE COMPLAINT

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

This is offensive by being over the top. The discomfort of the women wearing the panty liners is too invasive about a private woman's business.

I found it offensive to women in general.. It looked crude and disgusting... And to make sure it wasn't just myself I have asked others what they thought and the general consensus was crude.. I'm not opposed to advertisements about feminine personal products/hygiene at all but to depict women in this way, well I just think it's horrible.. Thank you for considering my complaint

THE ADVERTISER’S RESPONSE

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

General

Before addressing the substantive issues, Kimberly-Clark Australia would like to make clear that both our employees and our advertising agencies are acutely aware of our responsibility to the community in relation to the standard of our advertising and as such we take any complaints seriously.

General

The advertisement was developed to address what we understand from consumer research to be a common issue experienced by many young women - that is, they do not like the uncomfortable feeling that is often associated with wearing a sanitary pad. The findings of initial consumer research conducted with 400 women (between 18-29 years) revealed that 93%

had experienced and did not like that uncomfortable or “gross” feeling when wearing a pad.

The advertisement aims to address this issue in a humorous and entertaining way so as to resonate with young women, by depicting the feeling of walking like a cowboy. The intention of the advertisement was to represent what we understand from our research is a real issue that arises in connection with using a pad, rather than an attempt (intended or otherwise) to depict women in an offensive or crude manner. The advertisement highlights the fact that U by Kotex Ultrathins have a 3D Rapid-Dry Core which instantly absorbs, leaving the surface of the pad dry, as a means of addressing that uncomfortable or gross feeling that might otherwise be a concern for women using a pad.

In line with the tone and approach taken by the brand over a number of years, U by Kotex intended to portray the issue and its solution in a straightforward and candid manner that is respected and desired by its customers. The manner in which the women in the advertisement are depicted is consistent with our consumer research, including the initial awkwardness and unease of the women, which we understand is the way many women feel when wearing a pad. We also chose a scenario that was light hearted and relatable to women’s experiences of wearing a pad.

Prior to launching an advertisement and in line with our desire to market our products responsibly and in a way that does not offend, we undertake extensive testing of new advertisements to ensure they contain no offensive images or scenarios, and that they do not promote inappropriate behaviour. In line with that approach, we extensively tested this advertisement with 150 women between 16-24 years. Consumers who viewed our U by Kotex Ultrathins advertisement in research gave clear feedback that the advertisement was enjoyable and relevant to them. Accordingly, we submit that the advertisement does not offend against prevailing community standards in respect of the target audience and will not be seen as offensive to the majority of those who will view the advertisement. Further, we are not aware of having received any similar complaints in relation to this advertisement.

For the reasons stated above, we respectfully suggest that this advertisement objectively does not contravene Section 2 of the AANA Advertiser Code of Ethics nor does it offend against any other aspects of the Code.

Kimberly-Clark Australia markets numerous products and maintains the highest standards possible in promoting those products. We are serious about being a responsible corporate citizen and are always mindful that our advertising, or any other communication, should be consistent with prevailing community standards.

For the reasons stated above, respectfully, the complaint should be dismissed in its entirety.

Kimberly-Clark Australia is pleased to have had the opportunity to respond to this complaint and to confirm its support for the ASB and the codes to which it is subject.

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 features scenes that are offensive and discriminatory toward women.

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 the advertisement features three women walking along the street dressed in cowboy style clothing with their legs spread widely. The voiceover describes the uncomfortable feeling that women sometimes experience when wearing sanitary pads and that it is likened to having to walk like a cowboy. The product is shown and the women celebrating the new comfort.

The Board noted that the advertiser had provided research data which illustrated the concerns many women had with the uncomfortable feeling they have when wearing sanitary pads. The women in the advertisement are presented in a manner which portrays these concerns.

The Board noted the complainants’ concerns that the advertisement is degrading to women in its portrayal of women having to adjust the way they walk because of this issue.

The Board considered that as the advertisement is highlighting the comfort of the product - U by Kotex Ultrathins it is reasonable to demonstrate how some pads may cause discomfort where the Ultrathins are designed to reduce discomfort.

Board noted that it had previously considered an advertisement for Johnson and Johnson (ref: 402/12) where women were seen adjusting their pads due to discomfort. In this case the Board determined that “it is reasonable to demonstrate how some pads may need adjusting whereas Stayfree shouldn’t. The Board noted that the scenes of the women making adjustments are done so through their clothing and are brief and relatively discreet. The Board considered that this portrayal is presented in a manner which is not degrading, discriminatory or vilifying towards women.”

Consistent with its decision in case 0402/12, the Board considered that the current advertisement did not portray or depict material which discriminates against or vilifies a person on account of gender and 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.