



Case Report

1	Case Number	0436/14
2	Advertiser	Jalna Dairy Foods
3	Product	Food and Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	22/10/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The commercial commences with a mother being led by her young daughter down a mystical garden path laden with flowers. The mother is wearing a red blind fold and her daughter is excitedly guiding her by hand to a rotunda where a pot of Jalna Pure Yoghourt and Fruit is ready for her to taste. The daughter sits her mother down and commences to play a fun game of blind tasting. The mother is unsure what she is eating at first, but appears surprised at the first spoonful of pure yoghurt which her daughter places in her mouth. The next spoonful has dug deeper into the bottom of the yoghurt and is covered with a generous amount of whole blueberries and juice. Unbeknown to the mother, the father has now joined in on the game of surprise and gives her the last spoonful. She gasps in surprise (playing along with the game) as she discovers the new taste sensation. She removes the blindfold and discovers the new Jalna yoghurt with fruit.

THE COMPLAINT

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

This ad comes across as sexual, and with a young girl (child) in this ad, watching, I find this very inappropriate.

The ad was very disturbing. It is very sexualised even though there is a little girl involved. The man feeds a blindfolded woman and she moans seductively.

THE ADVERTISER'S RESPONSE

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

The TV Commercial under review has been produced by Jalna to introduce a new range of Pure Yoghurt with a natural fruit layer at the bottom of pot set yoghurt. Over the years, Jalna has established strong brand attributes around pot set purity and being the most natural and closest to organic yoghurt on the market. It is a trusted brand that has strong family values. Based on consumer insights from focus groups, spooning through the pure yoghurt to discover the layer of fruit at the bottom of the pot plays a large part in the enjoyment of consuming this new product.

To dramatise the eating experience and joy of discovering a generous amount of fruit at the bottom of the pot, Jalna has depicted an innocent scene of a mother and child playing a game of surprise.

The daughter has blindfolded her mother and led her to a picnic scene where she sits her down at a picnic table and feeds her the newly discovered yoghurt. The mother enjoys the new taste sensation and joins in on the game. She gasps in surprise at the end (playing along with her daughter's game) when she discovers the new taste of fruit in the last spoonful. She is also surprised to see that the father has joined in on the game too.

The advertisement has been given a G rating by Commercials Advice Pty Ltd. (reference no:1046010). There are no sexual references intended that would be in breach of code 2.4-sex, sexuality and nudity.

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' concern that the advertisement depicts sexualised content which is inappropriate.

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 the advertisement features a blindfolded woman being fed yoghurt by her daughter and then her partner.

The Board noted the complainants' concerns that the way in which the woman eats the yoghurt from the spoon is sexualised and that she moans seductively afterwards.

The Board noted that when the woman is fed yoghurt she is blindfolded and therefore cannot see what she is eating. The Board noted that the woman does react with a gasp after unexpectedly being fed a spoonful of yoghurt and berries. The Board noted that the voiceover says we all enjoy surprises and considered that the woman's reaction to the yoghurt does appear to be one of surprise at what she has just tasted. The Board noted that the advertisement is depicting a situation where a mum is being spoilt by her daughter and partner and considered that the manner in which the woman eats the yoghurt and her reaction to its taste could be seen as sensual but, in the Board's view, is not sexualised or inappropriate. The Board considered that the complainants' interpretation of the advertisement would be unlikely to be shared by the broader community.

The Board considered that the advertisement did not include any sexualised content 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.