



Case Report

1	Case Number	0439/11
2	Advertiser	Pharmacare Laboratories
3	Product	Toiletries
4	Type of Advertisement / media	TV
5	Date of Determination	23/11/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.6 - Health and Safety within prevailing Community Standards
- 2.2 - Violence Hooliganism-vandalism-graffiti

DESCRIPTION OF THE ADVERTISEMENT

Brut deodorant commercial featuring cricketer Shane Watson warming up before a match. We see Shane spaying himself with Brut and then bowling a ball against a wall with Brut logos on it until the wall finally breaks.

THE COMPLAINT

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

Glorifies vandalism, depicts sports men as stupid morons, condones damage to public structures, sets a bad example by using a famous identity as a role model.

THE ADVERTISER'S RESPONSE

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

PharmaCare Laboratories would like to emphasise that it takes seriously its commitment to the AANA Code of Ethics. It is also relevant to note that all our advertising is carefully reviewed in this context, from creative idea stage to final mixing.

In reference to your letter dated 3rd October 2011, we do not believe that the scenario depicted in the Brut Shane Watson Bowling TVC is in breach of the AANA Code of Ethics. The complaint alleges an issue under section 2 of the AANA Code of Ethics and specifically 2.2 and 2.6 of the code. These are addressed below.

The commercial depicts Shane Watson undertaking an unconventional warm-up method where he bowls a series of deliveries at 4 targets (Brut logos) on a change room wall. Three of the 'targets' are placed such that they might represent the stumps of a wicket. The visuals are accompanied by a narrative that talks solely about Shane's mental preparation when bowling and the edge he gets from using Brut as part of this preparation.

The commercial is designed to be obvious hyperbole. Shane Watson is known as a powerful all rounder, a masculine and high performing player who often opens the batting. But even for a person of his skills, the physical cracking of a solid brick wall, (let alone the knocking through of a hole) by bowling a cricket ball is not an achievable feat. The depiction in the commercial has been achieved using obvious animation and special effects and is entirely fictitious. In regards to putting anyone in danger, we believe that this hyperbole would be understood by the viewer.

The Brut logos have been positioned to represent the 3 stumps of a wicket. In the TVC, Shane Watson bowls at these targets, hitting them each time. This bowling is not random and therefore not violent or rampant. Neither does it represent health and safety issues as it is structured and has meaning.

Further, the narrative of the commercial clearly emphasises the mental preparation that Shane Watson is undertaking. This narrative is positive, uplifting and is all about self belief and backing one's self: emphasised by the words " it gives me the edge I need. it allows me to be who I want to be, to back myself no matter what". The breaking of the wall by hitting the final 4th target (logo) is symbolic of Shane Watson breaking through any barriers of self doubt, allowing him to perform, to do his best. In no way does it encourage vandalism or violence, or condone damage to public structures. As a result of the obvious hyperbole and positive narrative we believe it is unlikely the commercial will lead to any antisocial behaviour.

The intention of this commercial is to engage and entertain our target audience, using hyperbole and a positive message to equate the attributes of both Shane Watson and Brut masculine, enduring, controlled, and performance driven. This commercial features Shane Watson performing extraordinary 'skills' which appeals to our target audience - Males 25 to 39. The TV media buying is targeted at this adult male audience and as such the spot placements are amongst programming for this intended audience, being sport and general male entertainment.

Accordingly, we submit that the advertisement does not breach Provision 2.2 or Provision 2.6, or any other provision of the AANA Code.

For the reasons above, we respectfully request that the complaint be dismissed.

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 complainant's concerns that the advertisement glorifies vandalism and sets a bad example to the community.

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

The Board noted Section 2.2 of the Code which requires that 'advertising or marketing communications not use violence unless it is appropriate in the context of the advertised product or service.'

The Board noted that the advertisement features Shane Watson applying Brut deodorant and then bowling a cricket ball against Brut logos on a locker room wall.

The Board noted that this depiction was fantastical and that special effects were clearly employed to exaggerate the effect of the balls on the wall. The Board considered that the advertisement does not glorify, encourage or condone vandalism.

The Board determined that the advertisement did not breach Section 2.2 of the Code.

The Board considered whether the advertisement was in breach of Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted the complainant's concerns that the advertisement sets a bad example by using a famous sportsman in this manner. The Board considered that it is reasonable to show Shane Watson bowling a ball and that the advertisement does not condone or encourage viewers to behave in a manner which would be contrary to prevailing community standards on health and safety.

The Board determined that the advertisement did not depict material contrary to prevailing community standards on health and safety and did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.