



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0455/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Suntory Australia</b>
<b>3</b>	<b>Product</b>	<b>Alcohol</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Billboard</b>
<b>5</b>	<b>Date of Determination</b>	<b>28/11/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

### DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a woman standing with her back to the camera, looking over her shoulder. She is wearing shorts. The advertisement states: "Midori. Best mixed with short shorts."

### THE COMPLAINT

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

- 1. The use of the drink's slogan in combination with the picture is sexist. It implies the dehumanisation of the woman to her outfit, and the objectification of the woman as a drink-mixing tool.*
- 2. The combination of sexualisation in the image, the slogan, and the woman's action implies the strengthening of women's roles as subservient to men.*
- 3. The sexualisation of the woman is inappropriate in such a public location with many young women boarding buses here to go to school.*

*I have read the code of the Bureau and understand that sexism is not covered. I would assert that it should be.*

*The advertisement's slogan attempts to imbue the model with a sense of agency, implying that she is in control of the situation and of her alcohol intake. However, the manner in which the model has been posed undermines this. Her pose is that of a soft-porn pin-up. With her open*

*lips, her back to the camera, her bottom hanging out of her tiny shorts and her gaze over her shoulder, the suggestion is blatant that she is the object of consumption within the advertisement, rather than the alcohol.*

*Veiling sexism with a "retro-style" aesthetic does not make it cute, or acceptable. Sexism was rife throughout the 20th Century and continues to be so today.*

*Midori is not best mixed with short shorts. Sexism is not best mixed with alcohol. I call that Midori withdraw this advertisement.*

## **THE ADVERTISER'S RESPONSE**

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

*The Advertiser did not provide a response.*

## **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 presents a woman in a manner which is sexist, objectifying and sexualised.

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...gender..."

The Board noted that this advertisement features a woman wearing shorts accompanied by the slogan, "Best mixed with shorts".

The Board noted that the slogan has many interpretations in that "mixed with shorts" could refer to an alcohol 'short' being mixed with another beverage, the woman wearing shorts could mix a drink, or the woman wearing the shorts could 'mix' a record as she appears to be standing at a DJ booth. The Board considered that regardless of which interpretation you chose, the combination of the slogan and the use of an attractive woman wearing shorts is not of itself discriminatory.

The Board considered that overall the material depicted did not discriminate against or vilify any person or section of the community on account of gender and did not breach Section 2.1 of the Code.

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people."

The Board noted the complainant's concerns that the depiction of the woman is objectifying and considered that whilst some members of the community could consider it to be

exploitative to use a woman in shorts to promote a drink, in the Board's view the woman appears confident and empowered and the image is not exploitative or degrading.

The Board determined that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading to women and that the advertisement did not breach Section 2.2 of the Code.

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 complainant's concerns that the image is sexualised and considered that whilst the woman is clearly attractive and confident her pose is not overtly sexualised. The Board noted that the advertisement is featured on a billboard and so is available to a wide audience which would include children and considered that the advertisement did not present sex, sexuality or nudity in a manner which was inappropriate for this broad audience.

Based on the above the Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.

Further finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.