



Case Report

1	Case Number	0458/12
2	Advertiser	Combe International
3	Product	Toiletries
4	Type of Advertisement / media	TV
5	Date of Determination	12/12/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.6 - Health and Safety Bullying (non violent)

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is for Vagisil feminine wash and depicts a woman, who seems uncomfortable, saying to the camera, "I found out the hard way..." and we see two other women laughing in the background. There is a pack shot with water from the shower in the background and then we see the woman, who looked a little uncomfortable, walking and laughing with the other two women.

THE COMPLAINT

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

I find this advert offensive for a number of reasons. Primarily, the advert is attempting to create a market for its product, a feminine hygiene wash, by convincing young women (and, of course, teenage girls, a very vulnerable market) that the smell of their vagina's may be offensive, and that the offensive odour may not be resolved through normal hygienic standards of cleanliness.

This approach suggests that the normal smell of the vagina may be offensive and therefore in need of a product to remove the odour. This in essence construes being female as offensive - something which needs to be cosmetically changed to make it acceptable.

The advert also condones bullying of women by other women. The advert is suggesting that the woman in the front has 'learned the hard way'. What does this mean? Has she been teased, bullied or ostracised by the women behind her because of the smell of her vagina? This is the

implicit message of the ad. Further, the ad is not suggesting that the actions of the women are inappropriate - but that the woman with the offensive odour should purchase the product and give in to the bullying behaviour by changing the way that she smells. We should not permit these types of messages to be broadcast - that women smell, or that it is OK for women to bully other women over their smell, and that it is the job of the smelly women to conform.

THE ADVERTISER'S RESPONSE

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

Re: Vagisil Television Advertisement – Complaint reference 0458/12

I refer to your letter dated 20 November 2012 advising that a consumer complaint about our Vagisil Television Advertisement has been lodged and will be considered by the Advertising Standards Board at an upcoming meeting.

We treat all consumer complaints very seriously and recognize that opinions and interpretations regarding content can vary considerably from viewer to viewer.

We feel that the advertisement has been prepared with a due sense of responsibility to the consumer and promotes a delicate female product in a tasteful manner which is consistent with the AANA Code of Ethics and prevailing community standards.

Firstly, we believe that the advertisement complies with sections 2.2 to 2.4 as it does not:

- 1. employ sexual appeal.*
- 2. present or portray violence.*
- 3. incorporate sex, sexuality or nudity.*
- 4. use inappropriate language.*

The complaint specifically relates to sections 2.1 (Discrimination or Vilification – Gender) and 2.6 (Health and Safety – Bullying (non-violent)).

The viewer incorrectly states that our advertisement includes something to the effect that “regular washing doesn’t get rid of all odours”. Rather, our advertisement states that “not all washes take care of feminine odour” and seeks to differentiate our feminine wash from other such washes on the market.

The viewer claims that we are trying to create a market for our product by convincing women that the smell of their vaginas may be offensive and that the odour may not be treated through normal hygienic standards of cleanliness.

Our advertisement is not directed at “normal hygienic standards of cleanliness”. It is directed at competitive feminine washes which do not have the odour control capability of our wash (which is patented technology).

Ultimately our message is that if you are going to choose a feminine wash, choose one that is effective and will control feminine odour.

There are many products on the market directed at bodily odour including deodorants, anti-perspirants, mouthwash, breath mints, foot odour powders/sprays which are offered to consumers by advertisers. However, in all cases the consumer can choose whether he/she wishes to use or simply ignore such products.

In our opinion, the advertisement does not depict discrimination or vilification. While the woman who is the subject of the advertisement looks uncomfortable, there is nothing to suggest that the behaviour of, or treatment by, the others has caused this. There is no dialogue between the parties and no indication of the relationship between them.

Likewise, there is no indication of the subject of the advertisement being bullied by the others. While we understand that isolation/exclusion can be a form of bullying there is nothing to suggest that this is the case. Once again, we purposely do not define the relationship between the parties and there is no dialogue.

The advertisement is designed to highlight the benefit of our feminine wash over other washes should the consumer be in the market for one. Using a product that works, no matter what it is, will give the consumer confidence and this is the message we are conveying.

In light of the above we believe the advertisement complies in all respects to the AANA Code of Ethics and is consistent with prevailing community standards.

Please do not hesitate to contact me should you require any additional information or clarification.

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 suggests women have offensive feminine hygiene issues and that it condones the bullying of women.

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...gender...”

The Board noted the advertisement is for a feminine wash. The Board noted the complainant’s concerns that the advertisement is creating a problem where none exists in order to sell their product. The Board considered that this aspect of the complainant’s concerns appears to be more directed to the product itself and the fact that it can be advertised.

The Board noted that the product is legally allowed to be advertised.

The Board noted that the advertised product is aimed at women and considered that the content of the advertisement is in keeping with similar advertisements for feminine hygiene products and that advertising a product to women does not of itself amount to discriminating against or vilifying a person based on their gender.

The Board determined that 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 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 suggests women have been bullied because their feminine hygiene has been below-par and that this bullying is acceptable. The Board noted that whilst the voice over says “I found out the hard way...” we see two women laughing together whilst the woman who the voice over belongs to looks uncomfortable. The Board noted that the complainant has interpreted the women to be laughing at the main woman and considered that although this is one interpretation it is not backed up by anything else and that the more likely interpretation is that the woman in the foreground is uncomfortable because she does not feel clean and therefore feels unable to join in the fun her friends are having.

The Board noted that the overall tone of the advertisement is factual and considered that the advertisement does not suggest that women are, or should be, bullied because of their hygiene and that the advertisement does not encourage the bullying of women over this issue.

The Board determined that the advertisement did not depict material which would be in breach of Section 2.6 of the Code.

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