



Ad Standards Community Panel
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Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0483/18
2	Advertiser	Reckitt Benckiser (Aust) Pty Ltd
3	Product	Toiletries
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	14/11/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

- Other Social Values
- 2.1 - Discrimination or Vilification Gender
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement has two versions, one with a school principal (female) sitting on the toilet in a public cubicle talking about the use of V.I.Poo toilet spray and one with a pianist (male) sitting on the toilet talking about the use of V.I.Poo toilet spray.

THE COMPLAINT

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

The product displays stools in the toilet bowl and uses offensive language in describing its product - one of its advertisements for the product [a later one] has a man seated on a toilet and using the word "pianist" in some form of innuendo. I find it offensive to show detail of someone sitting on the toilet. The ad could be done in a tasteful way without showing such graphic detail.



The advertisement shows someone portraying a female school principal, sitting on a toilet with her underwear down around her ankles, with her saying she is a VIP and that she uses VIPOO to stop nasty odours. The first ad for this ridiculous product was bad enough, but this new ad is demeaning and unnecessary. I find it incredibly offensive.

Very offensive to see a complete image of a person (head to toe) on a toilet, talking about pooing. You see their pants around their ankles. Especially offensive that the ad depicts a school principal!

Why would anyone wish to see an adult sitting on a toilet when they have come home from work and seeking to relax in their lounge room having a snack and then they see an adult female or male sitting on a toilet in their lounge room. There is no where else I have to see this. Public toilets have doors, bathrooms have doors. I cringe when this add comes on in the privacy of my home. I can usually tune out when adverts come on but this add is demeaning and turns me right off the product and the maker. In my opinion it truly is offensive. The advertiser thinks because he has covered their private parts it passes, but who could possibly want to see an image of a man or woman sitting on a toilet with their pants around their ankles. A deviate or someone with a very low intellect?

Give me a break, if I am sitting down at a table with my brekky, is it normal to expect a promo for a toilet promo with a hairy faced creepy male promoting a smelly product normal, sitting on a loo. NO Not in my world. Have never been interfaced with such a creepy image. And no, would never consider such a product for purchase. This series is the creepiest ad I have ever seen.

THE ADVERTISER'S RESPONSE

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

Thank you for bringing to our attention the complaints you received regarding our Air Wick V.I.Poo Toilet Spray advertising. Reckitt Benckiser (RB) is committed to responsible advertising and we have carefully reviewed the complaints against all requirements of Section 2 of the AANA Code of Ethics. In summary, we submit that the TVCs do not discriminate or vilify any person or group of people, use inappropriate language or otherwise breach the AANA Code of Ethics or other social values.

The TVCs advertise the use of V.I.Poo toilet sprays in public toilets, by two characters, one Principal and one Pianist.

These products are applied to the toilet bowl prior to use, in order to trap malodours



and work differently to traditional air fresheners. Therefore, it is key to discuss the unique benefit of “spray & trap” as consumers need to understand this proactive, pre-use approach as opposed to the traditional reactive, post-use approach of standard air freshener aerosols.

Our 2017 market research "VIPoo Toilet Habits Survey," showed that both genders experience self-consciousness when using the toilet. Our research found that the main problem that both men and women have with toilet use is dealing with the resultant malodour. It also found that 34% of Australians had an embarrassing toilet experience at out-of-home locations such as the workplace.

The purpose of the TVCs is to address this consumer need while accentuating the non-traditional nature of the product.

1. Relevant Audience

The CAD Placement Code for these TVCs is G. This means that it is classified as General. It may be broadcast at any time except during P and C programs or adjacent to P or C periods. Our media agency confirmed that no spots are placed in children's programming.

According to our Media Agency the following TVCs (Principal and Pianist) have been seen during 3 weeks by over 7.6M people and we have only received 12 complaints to date. RB respects and values each and every one of these complaints but would also like to highlight the low incidence of people feeling offended by this TVC.

Below we'll comment all the sections of the Code of Ethics, but we'll emphasize those raised on the complaints:

2.1 - Discrimination or vilification

We submit that the TVC does not portray or depict material in a way which discriminates against or vilifies any person based on their race, ethnicity, nationality, gender, age, sexual preference, religious views, disability or political belief.

In the two TVCs, which are airing at the same time with a 50%-50% split, both characters (the Pianist and Principal), are portrayed in a positive and confident manner within their respective surroundings.

The approach taken in the TVCs is clearly intended to be light hearted, matter-of-fact, humorous and tongue-in-cheek.

2.2 - Exploitative and degrading

The TVCs do not employ sexual appeal in any manner.

2.3 – Violence



The TVCs do not contain any violence.

2.4 - Sex, sexuality and nudity

The TVC does not contain any sex, sexuality or nudity apart from the bare legs (from ankles to knees) of each character, which we submit is appropriate in the context and having regard for the relevant audience.

2.5 – Language

We submit that the TVC does not contain any inappropriate, strong or obscene language. We submit that the language used is appropriate both to the topic and the CAD Placement classification.

The TVC needs to explain how the product works, since it is distinctly different to traditional air fresheners. To soften the language used and address the topic in a delicate way, a humorous approach has been taken.

2.6 - Health and safety The TVC does not show any material that contradicts the prevailing community standards of health or safety.

2.7 – Distinguishable as Advertising

It would be clear to the audience that this TVC is recognized as advertising and commercial in nature.

2.8 – Other Social Values

Many of the complaints suggest that seeing a Principal with her pants down around her ankles is offensive. However, we submit this TVC is presented in a humorous and respectful way that demonstrates how the product works and in what type of situations using VIPoo could be useful while adhering to all relevant other social values of the Australian community.

In light of the above, we strongly urge the Panel to dismiss the complaints and look forward to receiving the Panel's determination in due course.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concerns that the advertisement is discriminatory as is demeaning to the woman in the advertisement, depicts images of faeces, which is distasteful, and uses inappropriate language.

The Panel noted the complainants' concerns that the advertisement's subject matter, and visuals, are distasteful and not appropriate for a television advertisement. The



Panel noted that advertisers are free to use whatever images and phrases they wish in an advertisement provided that such images or phrases do not breach a section of the Code. The Panel considered that the issue of bad taste falls outside of the Code therefore the Panel cannot consider this aspect of the complaints when making its determination.

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

The Panel 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 Panel noted the Practice Note to Section 2.1 provides the following definitions:

"Discrimination – unfair or less favourable treatment.

Vilification – humiliates, intimidates, incites hatred, contempt or ridicule."

The Panel noted this television advertisement has two versions, one featuring a female principal and one featuring a male pianist promoting a spray which can disguise unpleasant toilet-related odours.

The Panel noted the complainants' concerns that the advertisement is demeaning to women by depicting the actress on the toilet.

The Panel noted that the advertisement is promoting a toilet spray designed to trap malodours in the toilet bowl. The Panel noted that one version of the advertisement uses a woman to promote this product but considered that there is no suggestion that she is of less value because of this.

The Panel noted the overall tone of the advertisement and considered that the advertisement is intended to be light-hearted and humorous and in the Panel's view the advertisement does not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of gender.

The Panel determined that the advertisement did not breach Section 2.1 of the Code.

The Panel then considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided".



The Panel noted the complainants' concerns about the language used in the advertisement, specifically the innuendo in the word "pianist".

The Panel considered that the word in the advertisement is actually "pianist", not "penis". The Panel noted that the actor is dressed in a tuxedo which often associated with performances by a person playing the piano.

The Panel considered that the advertisement did not use strong or obscene language and the references were not inappropriate in the context of the product advertised and determined that the advertisement did not breach Section 2.5 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.

