



Case Report

1	Case Number	0528/14
2	Advertiser	Procter & Gamble Australia Pty Ltd
3	Product	Toiletries
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	10/12/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.1 - Discrimination or Vilification Gender

DESCRIPTION OF THE ADVERTISEMENT

There are two different television advertisements for Max Factor cosmetics, featuring Max Factor Skin Luminizer Foundation or Max Factor Masterpiece Transform Mascara. Each version shows the product being applied to a model's face and a voice over which says, 'You're not born glamorous - you create it'.

THE COMPLAINT

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

This line is discriminating, makes women and young girls think they are not pretty/ give them low self esteem.

THE ADVERTISER'S RESPONSE

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

Firstly, it is not clear precisely to which advertisement the complaint relates. There are currently two Max Factor television commercials that are being broadcast in Australia (one featuring Skin Luminizer Foundation and the other featuring Masterpiece Transform Mascara), both of which contain the voiceover tagline which is the subject of the complaint, "You're not born glamorous. You create it."

Section 2.1 of the AANA Advertiser Code of Ethics (the “Code”) states that “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 race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief”. The complainant has alleged that the tagline complained of is discriminatory in that it “makes women and young girls think they are not pretty / give them low self esteem”.

Procter & Gamble (P&G) is fully aware of its societal responsibility when advertising beauty products, not only for its Max Factor cosmetic range, but for all its products. P&G is accordingly committed to responsible beauty advertising, especially given that advertisements for cosmetic products, not unlike fashion, lifestyle and other health and beauty products, inherently convey an aspirational aspect of beauty which, if inappropriately conveyed may have an impact on the self-esteem of some consumers.

P&G consistently strives to focus on the consumer as the centrepiece of our advertising. Most importantly, we believe that our consumers – men, women and children alike – are beautiful inside and out. In the context of cosmetic advertising (the majority of which is directed towards female consumers), beauty is generally a key concept, however factors such as style and glamour are referenced as possible enhancers of beauty and manifestations of self-expression. These are aspects with which the consumer can play, experiment, create and transform her look depending on her mood as, and to the extent that, she desires.

Glamour is commonly defined as an irresistible alluring quality that somebody or something possesses, particularly when accentuated with fashionable clothes or makeup. P&G believes glamour can be fun and playful and something every individual can achieve in various different ways, and this is precisely the message we convey in our Max Factor advertising. There was never any intention of portraying women or girls in a discriminatory fashion in the advertisement and we rigorously deny that we have done so in any way, shape or form in the advertisements concerned.

In determining whether an advertisement breaches Section 2 of the Code, the interpretation of average viewer must be considered, and the overall impact of the advertisement assessed. We believe most ordinary, reasonable viewers would perceive the message of the advertisements exactly as intended and indicated above – that beauty-enhancing glamour can be created (with the use of the Max Factor products advertised).

P&G’s advertisements go through an extensive internal and external approval process, including CAD approval, prior to broadcast – and at no stage were any concerns over discrimination or vilification raised or perceived. It should further be noted that other than this complaint we have not received a single other complaint on the advertisements concerned.

For these reasons it is our firm opinion that the Max Factor advertisements do not contain any matters prohibited by, or in breach of, the Code. In particular, we assert that there are no grounds for any allegation of discrimination or vilification on account of gender. We respectfully submit that the complaint be dismissed accordingly.

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 concern that the advertisement is discriminatory towards women in its suggestion that they are not pretty unless they use the product. The Board viewed the advertisement and noted the advertiser’s response.

The Board 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 Board noted the complainant’s concern that the line, “You’re not born glamorous – you create it!” is discriminatory and could encourage women and young girls to believe they are not pretty.

The Board noted that the Macquarie Dictionary definition of ‘glamour’ is: · n. alluring and often illusory charm

The Board considered that the use of the word glamour in the advertisement is consistent with the beauty industry’s terminology around make-up and the different effects it can have on a woman’s appearance. The Board considered that in the context of a product that can be used to enhance a woman’s appearance the word glamour is suggestive of creating an illusion rather than a comment on the natural appearance of a woman. The Board considered that the advertisement did not suggest that women are not attractive unless they use this product but rather that if a woman wants to create a glamorous image then this product is suitable.

The Board considered that most reasonable members of the community are familiar with the beauty industry’s terminology and that overall the advertisement would be unlikely to encourage low self-esteem in women or girls.

The Board considered overall that the advertisement does not portray or depict material in a way which discriminates against or vilifies a person or section of the community on any account.

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

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