



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Advertising Standards Bureau Limited  
ACN 084 452 666

# Case Report

<b>1</b>	<b>Case Number</b>	<b>0531/18</b>
<b>2</b>	<b>Advertiser</b>	<b>Carlton and United Breweries</b>
<b>3</b>	<b>Product</b>	<b>Alcohol</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>12/12/2018</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

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

## DESCRIPTION OF THE ADVERTISEMENT

The television advertisement features a house party scene. A woman representing a Carlton Dry beer comments on the uncomplicated nature of Carlton Dry.

## THE COMPLAINT

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

*Use of a female as a consumer product based on how "easy", inappropriate sexual innuendo, #metoo!*

*Belittles women who think. Just a head.. in a box. Shutup and drink.*

## THE ADVERTISER'S RESPONSE

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





*With respect to the complainants, we submit that there has been no breach by CUB of section 2.1 of the Code of Ethics because the advertisement does not portray women in a way which discriminates against or vilifies women.*

*Contrary to the complaint, the Carlton Dry human beer is not “a beheaded women [sic] in a box”. The Carlton Dry human beer’s shoulders and top are exposed to the camera, proportional to the other Carlton Dry bottles in the ice box, as depicted below. The Carlton Dry human beer is also picked up by a female guest, as shown below. Clearly, the Carlton Dry human beer was never “beheaded”.*

*Both female actors play leading, positive roles in this advertisement – they are not humiliated, ridiculed or presented in a negative way. Neither of the women are objectified or sexualised in any way. The fact that a female is the hero character, positively personifies the brand and narrates the entire advertisement is contrary to the complainant’s concern that the advertisement “belittles women who think” – rather, it celebrates and encourages diversity.*

*Other parts of section 2*

*Additionally, we submit that the advertisement does not breach the other sections of the Code of Ethics because the advertisement:*

- 1. does not employ sexual appeal (section 2.2);*
- 2. does not portray violence (section 2.3);*
- 3. does not treat sex, sexuality and nudity with a lack of sensitivity (section 2.4);*
- 4. does not use inappropriate, strong or obscene language (section 2.5);*
- 5. does not depict material contrary to the Prevailing Community Standards on health and safety (section 2.6); and*
- 6. is clearly distinguishable as advertising and marketing communications to the relevant audience (section 2.7).*

## **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 complainant’s concern that the advertisement depicts a beheaded woman in a box, depicts a woman as a product, depicts a woman as ‘easy’ and belittles women.



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

The Panel noted that this advertisement features a woman depicted as a beer and being carried in an esky and then held by another woman.

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 that the beginning of the advertisement includes the woman describing herself as a beer, using the phrase spoken by the woman stating “a beer like me”. The Panel considered that this immediately sets the tone of the advertisement that the woman is being depicted as a beer.

The Panel considered that the scene showing the woman from the chest up in an esky is depicting her as a beer in an esky. The Panel noted that when the beer/woman is lifted from the esky her whole body is shown.

The Panel considered that the scene depicting the woman from the waist up may be misinterpreted as implying the woman is of lesser worth or value by showing only half of her, but considered that the phrase spoken by the woman, “a beer like me”, provides clarification that she is representative of a beer.

The Panel considered that depicting a person as a consumer product could have potential to be an objectifying or demeaning depiction. However the Panel considered that the woman is identified immediately as a beer, and while she is depicted as a beer she is not depicted in a manner that is demeaning or inciting ridicule.

The Panel noted that some members of the community may consider the advertisement to be dehumanizing towards the woman or objectifying of women in general, but considered that the theme and storyline of the advertisement is clearly fantasy and the woman is representative of a beer.

The Panel considered that any reference to being “uncomplicated” or “easy” in the advertisement is clearly in the context of being a reference to beer. The Panel



considered that this could be construed as a demeaning reference to women but agreed that in the context of this advertisement the references are to the quality of the beer. The Panel considered that these references were not to incite ridicule of women or depicting women in a negative way.

The Panel considered that the advertisement did not depict material in a way which discriminates against or vilifies a person or section of the community on account of gender and determined that the advertisement did not breach Section 2.1 of the Code

The Panel 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 or degrading of any individual or group of people."

The Panel noted that the woman in the advertisement is representative of a beer and that some members of the community may consider this to treat the woman as a commodity.

The Panel first considered whether the advertisement contained sexual appeal.

The Panel considered that the woman is depicted in jeans and a t-shirt, and there is no sexual innuendo or references in the advertisement. The Panel considered that most members of the community would not consider the depiction of the woman to constitute sexual appeal and that the depiction of a woman is not of itself a depiction of sexual appeal.

The Panel determined that the advertisement did not employ sexual appeal and did not breach Section 2.2 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.

