



## **CASE REPORT**

1. Complaint reference number	153/07
2. Advertiser	Lowenbrau Keller
3. Product	Restaurant
4. Type of advertisement	Transport
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 12 June 2007
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This advertisement featured on public transport depicts two staff from the Lowenbrau Keller. A young blonde woman wearing traditional Bavarian costume, smiles and holds two steins full of beer as a male colleague, also in Bavarian clothing, stands with his arm around the woman smiling down at the beer.

## **THE COMPLAINT**

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

*It objectifies women by the man in the ad pointedly staring at the woman's breasts; Following from the above, by the ad being shown on the back of buses, which are highly visible to commuters and road users, the ad reinforces the idea that it is ok for men to stare at women's breasts; Specifically, it portrays the idea that it is ok for men to go to the Lowenbrau cafe and stare at women workers' breasts; It demeans the woman's status as a worker by portraying the reason for her employment as a waitress because of the size of her breasts; The ad is directly using objectification of women as a selling point for customers to drink at their beerhouse - the ad is not actually about the product it pretends to sell.*

## **THE ADVERTISER'S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*We are sincerely sorry if our advertisement was considered offensive by anyone. We take great care with all our marketing and promotions to ensure they are fun and cheeky without overstepping any boundaries. The aim of our advertising is to be lighthearted and humorous, and we regret that in this case it was not seen as such.*

*The models in the ad both work for the Lowenbrau and both do indeed love their work - they were happy to appear in the ad. The costumes worn are traditional Bavarian outfits that have been worn for hundreds of years, and were not modified in any way for the ad.*

*The last impression we want to give is that you can come to our restaurant and stare at our waitresses' breasts, and we have very strict house rules for anyone in our restaurant exhibiting offensive behaviour.*

## **THE DETERMINATION**

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board considered the advertisement's depiction of the woman. The Board agreed that the woman was portrayed in a manner that emphasised her breast size and that this did objectify the woman. However the Board noted that the advertisement depicted staff in traditional Bavarian costume and considered that this depiction in traditional costume would be understood by people seeing the advertisement and would not be considered overtly sexist.

The Board did not agree that the advertisement depicted the man staring at the woman's breasts. While the advertiser may have intended there to be some ambiguity in whether the man was staring at the beer or the woman's breasts, the Board was of the view that the man was looking at the beer. In any case however the Board considered that the advertisement clearly depicted two people who enjoy their job, there was no sense that the woman felt uncomfortable or powerless.

Overall the Board considered that the advertisement was a somewhat old fashioned advertisement that depicted two people, dressing in traditional costume, enjoying their job and did not breach the Code.

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