



## CASE REPORT

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| 1. Complaint reference number | 165/09   |
| 2. Advertiser                 | Coca Cola South Pacific (Coke Zero) Pay TV   |
| 3. Product                    | Food & Beverage  |
| 4. Type of advertisement      | Pay TV   |
| 5. Nature of complaint        | Discrimination or vilification Gender - section 2.1<br>Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination      | Thursday, 14 May 2009  |
| 7. DETERMINATION              | Upheld – discontinued or modified  |

## DESCRIPTION OF THE ADVERTISEMENT

This Coca Cola Coke Zero Pay TV advertisement, commences with a car pulling in to a roadside diner. The title is “The Break-up”. The advertisement shows a man and woman sitting in a booth. The waitress serves the man a bottle of coke zero and then opens the bottle. Woman asks “What’s wrong?”. Title on screen introduces the man as “Starring Our Hero”. Man says “I don’t know how to put this, but..” Man takes a drink and screen flashes with a number of images.

Title on screen reads “Coca cola zero pictures PRESENTS”. Voice over says “From the makers of Coca Cola comes Break-Up as it should be.” Screen title reads “BREAK UP AS IT SHOULD BE” with flames in background.

Images of women in bikini and cowboy hats shown, followed by images of woman with panthers each side of her. Next scene shows the diner where poles are now visible. A number of scantily clad women slide down the poles around the man.

Woman says “So you want to break up?”. Girls in various costumes dance up to and around man. Woman says “You don’t want to be with one woman”, whilst one girl rubs her hands over mans chest and shoulders. Woman says “so many women out there”, as scene shows four girls dancing seductively around the man. Woman says “Just call me when you want to have fun”. Man has grin on his face.

## THE COMPLAINT

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

*This ad is offensive to women and is sexist. It portrays women being objectified and being viewed as sex objects. Coke Zero is also consumed by women, whereas this ad seems to have forgotten the female audience. This ad shows women existing to satisfy a man's sexual appetite. This is disgraceful.*

*I found the advertisement very offensive because i don't like to see provocative women dancing \*strippers with clothes\* just for a drink and to act like breaking up with sleazy women dancing around is okay .*

## THE ADVERTISER’S RESPONSE

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

*Thank you for the opportunity to respond to the complaints regarding the Coca-Cola Zero 'Break-*

*Up' advertisement on Pay TV and You Tube (Your references 164/09 and 165/09.)*

*'Breakup:' as part of Coca-Cola Zero's "Taste of life as it should be" campaign, was intended to be humorous, light-hearted and over-the-top. Clearly, it was designed to appeal to young males, the core target for our brand. We submit that the ad is sufficiently exaggerated as to not violate section 2.1 of the Code The ad received a G classification by Commercial Advice Pty Ltd (CAD), and the media buy was carefully considered to reach our core male target and exclude children's programming.*

*In line with section 2.3 of the AANA Advertiser Code of Ethics about advertisements being sensitive to the relevant audience and, where appropriate, the relevant programme time zone, we submit our media buy on Pay TV was carefully targeted to mature audiences and is not in violation of the Code. In regard to the YouTube complaint, we did not place the ad on the site and cannot take responsibility for its submission by individuals not associated with Coca-Cola South Pacific.*

## **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 complainants' concerns about this advertisement, in particular that the advertisement is degrading to women, sexually objectifies women, and is shown at an inappropriate time.

The Board also noted that it had previously considered the same advertisement as broadcast on commercial television (Case Reference Number 137/09) and had upheld the complaints in that case.

The Board considered whether the advertisement depicted women in a way which discriminated against or vilified them on account of their sex. The Board noted that the theme of the advertisement is that it would be ideal if a woman did not get upset at breaking up with her boyfriend but rather recognised that the man would like to be with other women and suggested that this is how life should be.

The Board considered that some people in the community would consider that this advertisement is an exaggerated and over-the top depiction of a male fantasy that is intended to be humorous and is not a serious depiction of the way in which women should be treated. On the other hand, the Board noted the concerns of complainants that the advertisement objectified women and demeaned them by depicting them as sexual objects. The Board considered that the target audience and mature audiences would take this advertisement in the lighthearted fantasy that it was intended to be by the advertiser, but recognised that some members of the community would be upset by the depiction of women as compliant with the man's fantasy. The majority of the Board considered that the advertisement was sufficiently exaggerated not to contravene Section 2.1.

The Board also considered whether the advertisement treated sex, sexuality and nudity with sensitivity to the relevant audience in accordance with Section 2.3 of the Code.

The Board noted the advertiser's target audience (young men) and its submission that its media buy on pay television was carefully targeted to mature audiences. However, the Board noted from the complaints that the advertisement had been televised on pay television on a channel and at times when young people may be viewing.

The Board considered that the images of the women in the advertisement were not of themselves inappropriately sexual. The Board noted that there was no nudity and that all the women were depicted clothed, albeit some in attire similar to swimwear. The Board noted that the women were dancing around and in the vicinity of the man and that some of these moves were sexually suggestive. Of more concern was the suggestion that men should have multiple partners and that women should make themselves available for sex or 'fun' whenever the man wants. The Board considered that this was a description and depiction of sexuality.

The Board considered that this sexually suggestive dancing, in conjunction with the advertisement's message about sexuality, did present a message that was inappropriately sexual for screening to an audience that may include young people. The Board considered that this advertisement did not treat sexuality with sensitivity to the audience and that it did breach Section 2.3 of the Code.

Finding that the advertisement breached Section 2.3 of the Code, the Board upheld the complaints.

### **ADVERTISER'S RESPONSE TO DETERMINATION**

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

*Thank you for the opportunity to respond to the draft case report reflecting the Board's determination (your reference 165109).*

*I am writing to confirm we have already taken the step to withdraw the Coke Zero advertisement titled "Break-Up". Although we note the ASB made it clear it upheld the complaint based on the timezone in which the advertisement was placed, not on content, acknowledging the advertisement's intent to be humorous, exaggerated, over-the top and not serious.*