



CASE REPORT

1. Complaint reference number	201/00
2. Advertiser	Bristol-Myers Squibb Aust Pty Ltd (Clairol Herbal Essences Shampoo and Conditioner)
3. Product	Toiletries
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 11 July 2000
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement portrays a woman who, at a garage, asks a male mechanic working on her car, ‘Hey, where can I freshen up?’ He tosses her a key, she catches it and walks to a restroom. While a voiceover says, ‘Clairol Herbal Essences is changing shampooing – from a chore to an all-out joy, so you can’t help but get excited about your beautiful hair’, she takes from her bag a bottle of (Clairol Herbal Essences) shampoo, smells it and shampoos her hair. She makes appreciative moaning noises which, overheard by the mechanic, cause him to blunder, eject steam from the motor and bump his head. The woman, seeing her now dry hair, says ‘Yes, Yes, and ‘Yes’ having emerged from the restroom. Shaking her hair, she asks the mechanic, ‘So, is my car ready?’ The mechanic replies, ‘It’ll be a little while longer.’ The advertisement concludes with a shot of the product and the voiceover: ‘Clairol Herbal Essences. A totally organic experience.’

THE COMPLAINT

Comments which the complainant made regarding this advertisement included the following:

‘This advertisement showed a mechanic working on a car and the female apparently having an orgasm. I believed (sic) that (this type) of (advertisement does) not enhance the sponsor’s product and (degrades) women and their sexuality.’

THE DETERMINATION

The Advertising Standards Board (‘the Board’) considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board was of the view that the behaviour of the woman within the advertisement, parodying a scene from the film, ‘When Harry Met Sally’, did not contravene prevailing community standards in its portrayal of sex/sexuality/nudity; neither did it constitute discrimination or vilification. The Board determined that the advertisement did not breach the Code on these or any other grounds and, accordingly, dismissed the complaint.