

## CASE REPORT

1. Complaint reference number	201/05
2. Advertiser	Procter & Gamble Australia Pty Ltd (Clairol Herbal Essence)
3. Product	Toiletries
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 9 August 2005
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

The first scene in this television advertisement depicts a young girl washing her hair in the shower. She reaches over and grabs a bottle of Clairol Herbal Essence shampoo. The advertisement then cuts to a dream sequence which shows the young woman having her hair washed in a resort/spa setting. A voiceover states: *"Drift into a spa indulgence with Herbal Essences. With nourishing ingredients from coconut oil and vitamin E"*. The young girl is shown to leave the bathroom and cross the floor of the living room where her flatmate is seated reading a magazine. The smell from her hair prompts the girl on the couch to ask: *"Have you been using my shampoo again?"* The young girl replies: *"No"*. The girl on the couch retorts: *"It doesn't matter, I've been using your boyfriend."* A voiceover states: *"Herbal Essences, a spa indulgence for your hair."* The two young girls are heard to giggle in the background.

## THE COMPLAINT

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

*"... I find this to be disgusting and denigrating. What message is this putting across to our children?... go ahead and use my stuff, doesn't matter, because I'm using your boyfriend... What starts out as an ad about shampoo, ends up being an ad about cheating on friends and loved ones..."*

## THE ADVERTISER'S RESPONSE

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

*"... we believe that the TVC in its entirety in the context in which it, as the complainant states, 'find this to be disgusting and denigrating' would be casting a different light to what we intended. An objective viewer, having regard to the entire TVC would not believe that a shampoo would give reason to cheat on someone's boyfriend. The idea is meant to be humorous and light-hearted..."*

## THE DETERMINATION

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

The Board was of the view that in the context of prevailing community standards the majority of people would not find this advertisement offensive.

The Board noted that the comments by the young woman on the couch were intended to be humorous and that this joke was emphasised by the sounds of the girls giggling at the end of the advertisement. The Board considered that the advertisement did not depict any actual malice towards the girl who

had used her friend's shampoo.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of people (sex).

Further finding that the advertisement did not breach the Code on any other grounds the Board dismissed the complaint.