



## **CASE REPORT**

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| 1. Complaint reference number | 213/03  |
| 2. Advertiser                 | Procter & Gamble Aust Pty Ltd (Clairol)         |
| 3. Product                    | Toiletries                                      |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination      | Tuesday, 8 July 2003                            |
| 7. DETERMINATION              | Dismissed                                       |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement opens on a suburban street scene where a couple of male and female political canvassers are ‘door knocking’. As they approach the front doors of three separate homes, they turn away on hearing noises that might be associated with sex. The scene changes to reveal the noises to be those of women using Herbal Essence product and a voiceover advises: “It’s been voted the number one shampoo fragrance. Seems everyone loves the Herbal Essences’ experience.” As the two door-knockers are shown walking down the centre of the suburban road, with similar noises now coming from many surrounding houses, the voiceover concludes: “A totally organic experience.” The advertisement ends with a view of the product together with captions reading: ‘Voted No 1 Fragrance,’ and ‘A Totally Organic Experience.’

## **THE COMPLAINT**

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

*“This advertisement unnecessarily uses material of a sexual nature to sell, and is broadcasted during inappropriate times for its nature. The vocals provided give the viewer the impression that the female inside the house is having an orgasm.”*

## **THE DETERMINATION**

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

The Board acknowledged the advertiser’s advice that ‘The idea is meant to be humorous and light-hearted’ and that “the noises are neither ‘strong’ nor ‘obscene’ and in the circumstances... ‘appropriate.’”

The Board determined that the content of this advertisement did not contravene the Code in relation to the portrayal of sex, sexuality and/or nudity, and that it did not breach the Code on any other grounds.

Accordingly, the complaint was dismissed.