



CASE REPORT

1. Complaint reference number	236/06
2. Advertiser	Kraft Foods Ltd (Philly Mini Tubs)
3. Product	Food & Beverages
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 11 July 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is set in a “heavenly” room with two female angels. One angel is positioned upside down as the other asks “Oooo Danni, what happened?” Danni replies “Actually, it’s Yoga Bev. Do you want to see my Sukisana?, to which Bev responds ‘I Think I already can!’” Danni explains “Yoga helps me manage my 24/7 lifestyle” but Bev, at the fridge, replies “I prefer these new Philly Mini Tubs...Cool, creamy Philadelphia in four individual portions, so when ever I want some, it’s fresh...every time”. As Bev spreads the cream cheese on crusty bread she continues “And you don’t have to put your knees behind your ears to enjoy it”.

THE COMPLAINT

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

...tries to relate sexual excitement and link it to cheese...The most fun with your knees behind your ears. Rooting is the obvious but unstated action. Thinly veiled sexual references...

THE ADVERTISER’S RESPONSE

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

The complainant (incorrectly) states the copy as “The most fun with your knees behind your ears”. In fact, the advertisement opens with one of the characters in a Yoga position who says to her friends “Yoga helps me manage my 24/7 lifestyle”. After tasting Philadelphia the other friends says “and you don’t have to put your knees behind your ears to enjoy it., which is a clear reference to the Yoga position with the inference being Philly minutubs are a convenient and easy way to manage a 24/7 lifestyle.

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 complainant’s assertion that the advertisement was overtly sexual. The Board noted that the particular language referred to by the complainant was not used in the advertisement. The Board noted that it would be possible to have the interpretation of the advertisement taken by the complainant.

However the Board considered that it was also likely that the advertisement would be interpreted in the manner it was scripted – with reference to the product being a more enjoyable and easier form of relaxation than yoga. The Board considered most members of the public would consider that the advertisement was not inappropriately sexual.

On this basis the Board decided that the advertisement did not depict contact or depict inappropriate or insensitive sexual references or offensive language.

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