



CASE REPORT

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| 1. Complaint reference number | 247/04 |
| 2. Advertiser | Coca-Cola South Pacific Pty Ltd (Powerade) |
| 3. Product | Food |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1
Discrimination or vilification Other – section 2.1 |
| 6. Date of determination | Tuesday, 14 September 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features various sports people playing in their sport and they see a mythical large lady singing as they play. A cyclist takes a drink of his powerade and the mythical figure disappears so he can pass. The tagline is “It’s not over ‘til you say it’s over”.

THE COMPLAINT

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

“It sends a clear message that vilification of overweight people is acceptable and that if you are overweight, you should expect to be ridiculed and ostracised from society.”

“The message here is that no matter what talents or skills you may possess, the bottom line is that if you are overweight then you are a worthless loser because you fail to conform to a stereotype that this product promotes.”

“The commercial uses sarcasm and ridicule to legitimise violence and sexism against women.”

THE ADVERTISER’S RESPONSE

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

“The advertisement’s theme – ‘It ain’t over ’til you say it’s over’ is a play on the well known saying ‘It’s not over ’til the fat lady sings’.”

“This widely known and used saying is used by Powerade as a way of communicating the benefit of the drink i.e. helping consumers push themselves to their limits when participating in physical activity.”

“The origins of the saying are generally accepted to be operatic, and therefore the image of the lady is in keeping with this – the ‘opera singer’ is bold, theatrical and larger than life. This image is a ‘personification’ of the saying and is not intended to offend.”

“The Powerade advertisement is not intended to cause offence to any person or groups of people. Furthermore, we are not encouraging or condoning violence against women or in fact any group.”

THE DETERMINATION

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

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

The Board found that the depiction did not contravene the provisions of the Code relating to discrimination (other/sex)/vilification.

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