



CASE REPORT

1. Complaint reference number	250/08
2. Advertiser	Target
3. Product	Toys & Games
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3 Advertising to Children Code - Social value – section 2.4
6. Date of determination	Wednesday, 13 August 2008
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features various images of toys, and a teddy bear walking through a toy warehouse as toy soldiers drop from a helicopter. Scenes that follow the teddy bear through the warehouse include toys of surfers, robots, and a fire engine rushing past. A toy hammer is nailing up a "toy sale" sign when he notices the shelf above him features very attractive "Barbie" style dolls wearing brief outfits and putting makeup on giant-size doll faces. Suddenly the helicopter rope snatches up the teddy bear from the path of the fire engine and deposits him safely on a shelf amongst other teddy bears.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

When the ad gets to the part that depicts Barbie, the music changes from 'fun & child-friendly' to 'sexy and stripper-esque'. I find the music itself to be unnecessarily sexual in nature (considering it's an ad for children's toys). Adding to this, one of the Barbie characters is seen wielding a giant lipstick in a phallic manner while the boudoir music plays.

I strongly object to a scene and the accompanying music in the latest K Mart advertisement. The advertisement shows a scene displaying a "Barbie" or Barbie-like toy with a sexual connotation - i.e. with the camera panning up the legs and at the same time playing music that would only be heard in a strip bar! It is blatantly sexualising the toy. It is unnecessary to sexualise the toy and totally inappropriate for young children to be exposed to this sexualisation.

THE ADVERTISER'S RESPONSE

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

The advertisement is set in an animated movie style of presentation, with an exaggerated soundtrack to bring it to life. The concept behind the commercial is that the toys are getting ready for the Target toy sale.

In relation to the animated doll, Target, and its advertising agency, The Campaign Palace, do not believe the dolls are depicted in a sexualised manner. The dolls are fully clothed in outfits typical of these kinds of dolls, and are shown putting make-up on a toy doll's face to present a more glamorous face for the customers. More specifically, visually the first doll is seen walking from the point of the view of the "hammer" to link it to the previous scene where the "hammer" is seen fixing up a toy sale sign. The soundtrack bridges the different scenes, moving from an action scene where the "hammer" is fixing up the toy sale sign, to a more feminine situation where the

dolls are putting making on the toy doll's face. The soundtrack used is a common riff used to depict glamorous or feminine situations.

Target and The Campaign Palace apologise if this commercial has upset the complainant, which was certainly not our intent.

Target does not believe the advertisement depicts the dolls in an appropriate manner, or in any way that would contravene Section 2 of the AANA Advertiser Code of Ethics. In particular, as the advertisement features an animated fully clothed doll against a soundtrack which moves from an action scene to a more glamorous situation, we do not believe the advertisement contravenes the AANA Code of Advertising to Children.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches the AANA Advertising to Children Code (the Children's Code).

To come within the Children's Code, the material being considered must be an "advertisement". The Children's Code defines an "Advertisement" as follows: Matter which is published or broadcast in all of Australia or in a substantial section of Australia for payment or other valuable consideration and which draws the attention of the public or a segment of it to a product, service, person, organisation or line of conduct in a manner calculated to promote or oppose directly or indirectly the product, service, person, organisation or line of conduct".

The Board decided that the material in question was published in a substantial section of Australia for valuable consideration as it was a television advertisement.

The Board determined that the material draws the attention of the public or a segment of it to a "product" being a variety of children's toys in a manner calculated to promote...that product".

The Board then needed to determine whether the advertisement is an "Advertisement to Children", which is defined in the Children's Code as meaning: Advertisements which, having regard to the theme, visuals and language used, are directed primarily to Children and are for Product".

"Children" are defined in the Children's Code as being 14 years old or younger. The Board determined, noting the product, the timing of the advertisement and the images in the advertisement, that the advertisement was directed primarily towards children and was therefore within the scope of the Children's Code. Having concluded that the material is an "advertisement to Children" as defined by the Children's Code, the Board then had to determine whether the advertisement is for a "Product". "Product" is defined in the Children's Code as meaning; goods, services and facilities which are targeted toward and have principal appeal to Children".

The Board determined that the variety of children's toys are "goods" targeted toward and having principal appeal to Children and accordingly are "Products".

The Board determined that the advertisement should be considered under the AANA Children's Code.

The Board noted the complaints that the Barbie doll featured was sexualised.

The Board viewed the television advertisement and noted that it featured a variety of animated children's toys. The Board considered the section featuring the Barbie dolls was a very small part of the advertisement.

The Board did not consider that the actions of the cheer leading Barbie doll were sexualised and noted that the doll was fully clothed in sports gear.

The Board also noted that the music accompanying the doll's cheer leading routine was that which is normally associated with cheer leading and at best it could be considered raunchy but was not sexy or reminiscent of a strip show as asserted by the complainant.

The Board found therefore that the advertisement was not in breach of any Sections of the Children's Code.

The Board then considered whether this advertisement breaches Section 2 of the Advertiser Code of

Ethics (the “Code”) in particular Section 2.3 of the Code.

The Board did not consider this advertisement to portray sex, sexuality or nudity and was therefore not in breach of Section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.