



CASE REPORT

1. Complaint reference number	318/06
2. Advertiser	Kimberly-Clark Aust Pty Ltd (Kotex)
3. Product	Toiletries
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 12 September 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

There are four different scenarios depicted in this television advertisement:

1. “She didn’t get those by working out” Orange – set in a gym where a woman with oversized breasts is working out
2. “That is so not a turn on” Green – with a “hoon” in a bright green sports car with black flash decals eyes off two young women
3. “I’m never taking these shoes off” Pink – shows a woman’s bare legs extended in the air as she admires her new shoes
4. “I wanna come back as a towel” Purple – portrays two young women on a balcony looking through binoculars at a man wearing only a towel on a nearby balcony.

THE COMPLAINT

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

The voiceover says “I want to come back as a towel – orange (sic)”, implying that the woman would like to be wrapped around the man’s naked body...I find the women’s attitude to be vulgar. The fact that they are spying on this man wearing only a towel who is in the privacy of his own building, is also offensive.

I find the ad to be both sexist and promoting detrimental attitudes to the viewers.

THE ADVERTISER’S RESPONSE

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

I note in passing that the colour of the towel is purple not orange.

The scenes depicted in the TVC are intended to be humorous and a little daring and cheeky.

We do not accept that the relevant scene depicted in the TVC is offensive. The words used in the voiceover...are obviously intended to be both exaggerated and amusing and are not intended to be taken seriously.

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 concern that the image of the man wrapped in a towel being viewed by two women from afar discriminated against men. The Board noted that the man was not naked and was standing in an open doorway where, in the Board's view, he would know that there was a possibility that he could be seen by people in other buildings. The Board considered that the women's comments implied that the man was good looking, and did not discriminate against men.

The Board considered that the image of the man wrapped in a towel was not inappropriately sexual or graphic and that the advertisement did not breach section 2.3 of the Code.

The Board considered that the images of the woman looking through binoculars at other people was not promoting inappropriate behaviour as the man that they saw was in clear view of other people and there was not invasion of his privacy or personal space.

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