



## **CASE REPORT**

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| 1. Complaint reference number | 351/08  |
| 2. Advertiser                 | Jim Beam Brands Aust Pty Ltd                        |
| 3. Product                    | Alcohol   |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination      | Wednesday, 10 September 2008                        |
| 7. DETERMINATION              | Dismissed   |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement opens on a girl wrestling to clip her seat belt in the back of a taxi after leaving a party. As the driver asks if she'd had a good night, she replies in an irritable manner "No. This party. Ugh. There were a million beautiful girls and only like two guys. The music was so loud. There was a huge screen showing the football, and a whole pig roasting on a spit. So gross. Then the girls started wrestling each other, in their bikinis!". The driver's eyes light up and he asks "Can anyone get in?" Voice over and text read "THE Party. THE Bourbon".

## **THE COMPLAINT**

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

*Basically Jim beam is using sex to sell drugs. I suppose they don't define gay sex as sex, or Jim Beam just like to play on the sexual fantasies of men. Either way it is stupid and socially irresponsible, Australians do not need encouragement to drink alcohol, when will it be banned like cigarettes!!!!!!???? at least cigarettes didn't ruin as many lives and families.*

*These ads are just a pathetic excuse to advertise some sick Creative Director's sexual fantasies. With so many issues surrounding alcohol and its abuse of, you'd think we could raise the bar in terms of responsible drinking messages. Instead, each of these women are seen as unintelligent, stupid, highly sexualized objects. Really scrapping the bottom of the barrel as far as Australian standards are concerned. Shame.*

*These ads, presumably aimed at young men, blatantly stereotype women as sex objects in an unsophisticated and retrograde fashion. They may be meant to be a "joke" but are certainly in bad taste. Worse still, they were repeatedly screened during the Olympics, thus reaching a wide audience of impressionable, under-age, young people. Shame on Jim Bean and Channel 7 for avoiding any social responsibility and ensuring that sexist attitudes persist and flourish in our society.*

## **THE ADVERTISER'S RESPONSE**

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

*The Party is one of five commercials in a three year old campaign which is familiar as a humorous take on cliché characters and situations. In each case the intention is to use a well worn scenario to entertain the audience and associate a light-hearted view of the world with Jim Beam. The Party was first aired 27th May 2007 and has been on air sporadically since that time.*

*From a visual standpoint there is no sex, sexuality or nudity portrayed in this commercial, which is a conversation between a girl and a taxi driver, set inside a taxi. Mid-way through the*

*conversation the girl describes how a number of girls at a fictitious party strip into bikini's and start to wrestle. In our opinion an imaginary scenario presented through description alone should not be regarded as portraying sex or nudity. Instead, it is simply a component of the humorous script which is intended to exaggerate the antics at an imaginary party. It would not be considered unusual by most members of the community for women to wear bikinis at a poolside party or a bbq at the beach. We therefore consider it reasonable to use this kind of reference in a TV commercial.*

## **THE DETERMINATION**

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

The Board considered the application of Section 2.1 of the Code, relating to discrimination and vilification. The Board considered the advertisement was not suggesting that all women act in the way described in the advertisement, and was not discriminatory to women. The Board considered the advertisement was in poor taste, but did not contravene Section 2.1.

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