



## **CASE REPORT**

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|-------------------------------|---------------------------------|
| 1. Complaint reference number | 356/09                          |
| 2. Advertiser                 | Unilever                        |
| 3. Product                    | Toiletries                      |
| 4. Type of advertisement      | TV                              |
| 5. Nature of complaint        | Health and safety – section 2.6 |
| 6. Date of determination      | Wednesday, 26 August 2009       |
| 7. DETERMINATION              | Dismissed                       |

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement shows a man with lots of water gushing out of his armpits and shows scenes where the reach of the spray drenches his friends and girlfriend, including him playing basketball, sitting with a friend who is eating and dancing. His girlfriend sprays him with the Lynx deodorant and the water ceases to gush from his armpits.

## **THE COMPLAINT**

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

*It is totally ridiculous for starters but otherwise it is just disgusting. There is a scene where the man gushing the perspiration from his underarms is talking to someone eating a sandwich and the perspiration flood is covering the food while the person continues to eat it. The whole ad is full of scenes that are offensive and offputting. This ad is disgusting and a total insult. Please get the stupid thing off air.*

## **THE ADVERTISER'S RESPONSE**

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

*We note that the ASB is considering the TVC in relation to an issue that falls under Section 2.6 of the Advertiser Code of Ethics. For the reasons outlined below, we do not consider that the TVC is in breach of Section 2.6 of the Code.*

### **1. The Complaint**

*The details of the complaint received by the ASB on 29 June 2009 are as follows:*

*TVC Details: "Lynx deodorant advert with the guy with the water gushing from his armpits. It's is totally disgusting and totally vulgar and to be honest makes me feel physically ill. I cannot believe we have to watch absolute garbage like this and am totally offended by the ad. 29 June during the show 'Good News Week'. The ad appeared twice to my knowledge. The first time it just made me feel sick and the second time I had to close my eyes so I didn't have to watch it.*

*When my husband (who is a very Aussie bloke) said 'this is disgusting' I realised it wasn't just my opinion. "*

*Description of TVC: "Ad is based on some girls who is interested in some guy and he apparently has a perspiration problem. He is depicted as having perspiration literally gushing from his underarms all throughout the ad until she sprays him with 'Lynx'."*

*Reason for Concern: "It is totally ridiculous for starters but otherwise it is just disgusting. There is a scene where the man gushing the perspiration from his underarms is talking to someone eating*

*a sandwich and the perspiration flood is covering the food while the persons continues to eat it. The whole ad is full of scenes that are offensive and off putting. This ad is disgusting and a total insult. Please get the stupid thing off air."*

## **2. Overview**

*Lynx is a brand with a history of fun, tongue-in-cheek, playful advertising. Lynx also has a proud history of award winning commercials which both entertain and surprise its consumers. We submit that the TVC continues this tradition of tongue in cheek entertainment and that the intended young adult male audience understands the playful and hyperbolic nature of the TVC and its distinction between fact and fiction.*

*CAD provided the TVC with a "W" rating requiring special care as to the placement of the TVC. The TV media buying is targeted at the young adult male audience and as such the spot placements are amongst programming that is targeted at its intended audience such as "Supernatural", "The Simpsons", "Merlin" and weekly "AFL". The humour and content of the TVC is consistent within the context of this programming.*

## **3. Section 2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.**

*The TVC tells the story of a young man (narrated by his girlfriend) who appears to have a persistent and exaggerated problem with excessive perspiration. The girl he is interested in does not think she will be able to deal with his excessive sweating until he is introduced to Lynx Dry which puts an end to his problems. In this particular TVC hyperbole is used to communicate this message to the intended audience.*

*We submit that the TVC does not depict material contrary to the Prevailing Community Standards on health and safety. The hyperbolic use of water pouring from the young man's underarms is to dramatise the protagonist's problem with excessive sweating and the fact that he is seemingly oblivious to the problem. The premise being that he needs to find a solution to his problem of excessive sweating in order to keep the girl who is interested in him.*

*The complainant's statement 'There is a scene where the man gushing perspiration from his underarms is talking to someone eating a sandwich and the perspiration flood is covering the food while the person continues to eat it.', is based on a misunderstanding of the TVC's main premise. The young man in the TVC does not realise that he has a problem with excessive sweating declaring at one point "Everyone sweats a little. It's normal". The scene subject of the complaint is a clear demonstration of the young man's exaggerated lack of awareness of his perspiration problems, further emphasised by his male friend's lack of awareness as he keeps eating his sandwich despite the obvious effects his friend's heavy sweating.*

*The TVC does not depict material that is contrary to prevailing community standards on health and safety as submitted by the complainant.*

## **Approvals**

*Unilever is a responsible advertiser and has numerous internal review processes, including review by Unilever's Legal and Corporate Relations Departments to critique all advertisements to ensure compliance with legal and ethical considerations.*

## **4. Conclusion**

*We submit that we are not depicting material that is contrary to prevailing community standards on health and safety in any way in this TVC as the tone of the TVC is one of humour, playfulness and tongue in cheek.*

*In summary, we submit that the context of the TVC is well within prevailing community standards and that the TVC complies with section 2.6 the Code.*

## **THE DETERMINATION**

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2.6 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainants' concern that the depiction of the man with water gushing out of his armpits was vulgar and nauseating and that the image of the 'sweat' landing on a person's food was

also inappropriate.

Section 2.6 of the Code states:

*"Advertisements shall not depict material contrary to prevailing community standards on health and safety."*

The Board reviewed the advertisement and noted the advertiser's response that the advertisement was intended to be a fun, tongue-in-cheek playful attempt of advertising. The Board considered that the advertisement was intended to be humorous and was blatantly exaggerated and over-the-top. The Board considered that although the advertisement may offend some viewers, the depiction of the man in the advertisement was relevant to the product being advertised and would not offend prevailing community standards.

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