



CASE REPORT

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| 1. Complaint reference number | 393/09 |
| 2. Advertiser | Unilever (Rexona) |
| 3. Product | Toiletries |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination | Wednesday, 9 September 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

Television advertisement featuring police officers and one single black detective is leading the group through a corridor. The other police officers start laughing at the black detective as he looks down he has visibly white marks on the sides of his clothes. The voiceover states: "New Rexona Invisible Ice with 24 hour white man control".

THE COMPLAINT

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

Rexon uses racial stereotyping as a method to advertise which I find offensive and discriminatory. The advert is racist against blacks. Adverts subtly or overtly exploiting the differences in race groups are totally unacceptable.

Australia has come far in accepting different cultures and groups into society. This advert regresses the excellent progress made in our country and has no place to be shown. I would like to see the Rexon adverts removed immediately.

THE ADVERTISER'S RESPONSE

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

Thank you for the opportunity to respond to the complaint made in relation to the Rexona Invisible Ice Television Commercial (the "TVC").

Our comments in relation to the complaint are outlined below.

As requested, the CAD reference number is GQ088TCF

We note that the ASB is considering the TVC in relation to an issue that falls under Section 2.1 of the Advertiser Code of Ethics. For the reasons outlined below, we do not consider that the Commercial is in breach of Section 2.1 of the Code.

1. The Complaint

The details of the complaints received by the ASB on 18 August 2009 are as follows:

Description of Ad: "The advert depicts a group of police officers about to enter a room in a building. A single black man, out of uniform, is in front and weaponless, with white marks under his arms, presumably from sweating as he did not use Rexon deodorant. The group of white officers in uniform begin to laugh at him as he has these white marks."

Reason for Concern: *"Rexon uses racial stereotyping as a method to advertise which I find*

offensive and discriminatory.

The advert is racist against blacks. Adverts subtly or overrly exploiting the differences in race groups are totally unacceptable.

Australia has come far in accepting different cultures and groups into society. This advertl regresses the excellent progress made in our country and has no place to be shown. I would like to see the Rexon adverts removed immediately. "

2. Overview

Rexona is a brand with a history of fun, playful and tongue in cheek advertising. Rexona has a proud history of excellent award winning advertising that both entertains and surprises consumers. We respectfully submit that the TVC continues this tradition by parodying the 1970s films that featured the fictional character Shaft, a New York private detective.

CAD provided a G rating requiring broadcast at any time except during P and C programs or adjacent to P and C programs. The TV media buying is targeted at the adult male audience (16-39) and as such the spot placements are amongst programming that is targeted at its intended audience such as "Dexter", "Nels", "Rush" and weekly "AFL". The humour and content of the TVC is consistent within the context of this programming, in particular the crime-show genre.

3. Section 2.1 Advertisements shall not present or portray discrimination or vilification based on Race.

We submit that the TVC does not depict material contrary to the Standards on Racial Discrimination as stated in Section 2.1. In the context outlined above, we believe the depiction of the characters in this TVC would clearly be understood by reasonable viewers as being a parody of the 1970s series of films which featured an African American protagonist named Shaft.

By way of background, the character of Shaft was a New York private detective who was often given the job of solving crimes that could not be solved by the police. At the time, the first Shaft film was released, it was seen to be supportive of African Americans as it featured an African American man as the main character portrayed in a positive light, that is, solving crime.

The intention behind the TVC is to parody the Shaft films making light of stressful situations such as tracking down criminals, hence the swat team members laughing at the Shaft character's obvious evidence of perspiration under pressure, the white marks under his arms. The message of the TVC is that if he had used Rexona Invisible Ice he would have had control over the white marks. It was not the intention of Unilever to portray discrimination or vilification based on race through the advertising of the product, Rexona.

In the context of this parody, we respectfully submit that reasonable viewers would understand the humour of the TVC and would not view it as a portrayal of discrimination or vilification based on race.

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 discriminatory and/or in contravention with Section 2.1 as it is clearly a parody which would be understood by the intended viewers.

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 advertisement discriminates against people on

account of their race.

The Board considered whether the advertisement breached section 2.1 of the Code. The Board noted that the advertisement depicts a black man possibly of African American descent as a detective.

The Board considered that the advertisement is meant to evoke a 1970s detective show called 'Shaft'. The Board considered that the depictions of the men were meant to be taken as a spoof of a television genre and not as a comment on the likelihood of people of any particular ethnicity or race.

The Board also considered that the reference to 'no white marks' on a man of African American descent was of no ethnic or racial comment. The Board considered that the advertisement was intended to be funny and whilst some may not find the ad funny, it is not demeaning or racist and did not depict people in a manner which discriminated against them on account of race or ethnicity and did not breach section 2.1 of the Code.

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