



## **CASE REPORT**

1. Complaint reference number	396/99
2. Advertiser	Cadbury Schweppes Pty Ltd (Solo)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 7 December 1999
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The television advertisement commences with a man, looking exhausted, apparently clocking off after having finished a night shift at work. As he walks out of the building, he stops at a drink vending machine and obtains a can of ‘Solo’ which he drinks with evident relief. While he is drinking, a young woman wearing a nurse’s uniform also walks out of the building and says ‘See you tonight, Sam’. As she walks away, the camera pans back to reveal a sign saying ‘Sperm Bank’ in front of the building.

## **THE COMPLAINT**

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

*“The ad degrades sperm donors who generously provide a service, the couples who need the donor sperm in order to have a child and the work of all involved in infertility medicine.”*

*“It uses a puerile view of masturbation ... I find the use of masturbation/infertility as a vehicle to sell soft drink as disgusting and should not be allowed.”*

*“... offensive and demeaning. It has no relation to drinking Solo.”*

## **THE DETERMINATION**

The Advertising Standards Board (‘the Board’) considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board was of the view that the portrayal of the man within the advertisement did not constitute discrimination or vilification, nor did the advertisement contravene community standards in its treatment of sex, sexuality or nudity. The Board determined that the advertisement did not breach the Code on these or any other grounds and, accordingly, dismissed the complaint.