



CASE REPORT

1. Complaint reference number	428/06
2. Advertiser	Pepsico Australia Holdings Pty Ltd (Pepsi Light)
3. Product	Food & Beverages
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 14 November 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a young female and male sharing a lift. The female hears the good-looking man ask "How are you?" and she answers coyly "Ummm, I'm good thanks" to which he responds "Would you like to go out sometime?". The female explains that she could cancel coffee with friends, as the man turns to show her that he's actually talking to another girl on his hands-free mobile phone. The female realises she's made a complete fool of herself and cringes in embarrassment, and she hurriedly leaves the lift when it reaches the lobby. Clutching a can of Pepsi Light she approaches friends waiting for her, who have noticed the male also leaving the lift, and ask "Oh my god...you were in the lift with that!?" to which the female nonchalantly replies "Uhh, can you believe he asked me out?" and rolling her eyes continues, "As if I'd go out with him!". Her friends laugh knowledgeably as they share a "girl" moment.

THE COMPLAINT

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

The bitchiness of the women is portrayed as normal and supposedly funny. The man is objectified when referred to as "that". The women's character portrayals reek of immaturity, prejudice, ignorance, snobbishness and everything else that helps to make an intolerant, inconsiderate society. I find the phrase "Oh my God" offensive when used in this context...The young woman lies and then it's portrayed as "seeing the lighter side of things". Perhaps the advertiser is trying to say that their soft drink will make one dishonest and superficial.

THE ADVERTISER'S RESPONSE

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

The campaign is creatively based on embarrassing or "OMG (oh my god)" moments. "OMG moments" are a well-understood and everyday part of contemporary young adult life reflected in the more than 285 websites and Nine network's "20 to 1 Most Embarrassing Moments" program....young women (and men) re-tell and re-live a story to the amusement of themselves and their friends, usually preceded by or responded to with the exclamation "oh my god". "OMG moments" are relevant, real or "levelling" and bonding to young women because of their very nature.

Every element of the ad is designed to create empathy for the hero character via viewers understanding the feeling of being in this, or their very own "oh my god" moment. Our lead character is sharing her positive twist on the situation with the viewing consumer – as opposed to her friends – in what is meant to be a cheeky and humorous mechanic that is unexpected and exists in the commercial as the device to encourage 20-something women to see the lighter side of life rather than be negatively effected (sic) by an "oh my god" situation.

The tag line “See the lighter side” and entire positioning is clearly a play on the product name – Pepsi Light – and product benefit, that it is a sugar-free, or “light” product.

The language used in the campaign reflects the contemporary vernacular and prevailing community standards and can be referenced in contemporary dictionaries...the abbreviated term “OMG” is a reference to its frequent use as an exclamation in email and text communications.

Pepsi does not seek to promote behaviours or language that could offend or distress consumers.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board viewed the advertisement considered the complainant’s comments that the man in the advertisement had been objectified. The Board agreed that the term “that” when used in relation to a person of either gender could loosely be considered to be an objectification, but in this case the example was not particularly serious in the light of the short, humorous scene. Furthermore the Board found that such a comment did not either discriminate or vilify men generally and therefore did not breach section 2.1 of the Code.

The Board also considered the other complainant’s comments that the advertisement depicted “bitchy”, immature and superficial behaviour. The Board agreed that depiction of such behaviour is not in breach of the Code.

The Board noted that the complainant’s concern about the use of the term ‘oh my god’. The Board noted with respect that use of this language would be offensive to some people. However the Board considered that this language would not generally be considered offensive or strong language and that it was used in a manner that was consistent with its colloquial usage in Australia .

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