



CASE REPORT

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| 1. Complaint reference number | 44/10 |
| 2. Advertiser | Unilever Australasia - Streets (Cornetto) boring twin |
| 3. Product | Food & Beverages |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Wednesday, 10 February 2010 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a man who has a twin with a voiceover saying imagine if there was someone who looked just like you and could take out all the boring bits. In the background are various scenarios where life is less fun, ironing, going to lectures. It shows scenes where one of the guys looks cool and does the 'fun' things whilst his twin does responsible but 'uncool' things. Eating no name icecream is uncool, at the beach where the boring uncool guy is seen lining up (wearing a rash vest) and the cool guy is in swimming togs and bare chest, bounds up to the counter looking confident to buy a Streets Cornetto ice cream.

THE COMPLAINT

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

I am unhappy that the "boring" man is at the beach wearing a sun vest and the Cornetto man is bare chested. Ice cream is a product that is aimed at children. Skin cancer is a serious and non "boring" issue in Australia. I consider it unsafe and dangerous to suggest that a sun-vest wearing person is "boring" and a stark opposite to the interesting bare-chested one. It should be part of our values to Slip, Slop and Slap and cover up not reveal at the beach. It caused distress to my children as I tried to put their sun vests on - I was told that they wear boring and only boring people wear them.

Not in the public interest. Completely undermines all the great work in Australia that has been done in Australia to make people aware of the dangers of the sun and skin cancer. Children want to be 'cool' and to be cool the ad implies that you don't wear a rash top. We shouldn't be influencing our youth in this way. I contacted Unilever who replied that the ad is humorous. I don't find skin cancer as a subject that should be taken lightly.

The "boring person" in the ad is wearing a sunsafe shirt at the beach and the "cool person" who is "not boring" is not wearing a sunsafe shirt at the beach. Australia has the highest incidence of skin cancer in the world we should take sun safety seriously. This advertisement insinuates that wearing a sunsafe shirt is boring and that cool people don't wear them. I have noticed that less and less people on our beaches are sunsafe - especially YGens. I just think that in Australia, all our advertising should promote sunsafety in the same vein as responsible drinking.

With the acute awareness of melanoma particularly in our country I feel it is amazingly stupid and irresponsible to promote any person wearing a rash vest as uncool and boring and that skin exposure is hip. This ad runs in complete contrast to the current health advertisements telling us to cover up and use sun protection. The streets ad is very sneaky and affects many age groups and it also crosses into a number areas that prey on peoples low self esteem. However I consider the rashy component of this ad as offensive as showing someone smoking.

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 ANAA Code of Ethics. For the reasons outlined below, we do not consider that the Commercial is in breach of Section 2.6 of the Code.

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

We submit that the TVC does not depict material contrary to the Prevailing Community Standards on Health and Safety as set out in Section 2.6. We submit that the TVC is presented with a playful and tongue in cheek approach to distinguish the Streets Cornetto product from other similar ice cream products.

By way of background, the TVC features twins, one who represents what may be considered as the more mundane aspects of life and the other representing the fun, adventurous, slightly rebellious aspects of life. The TVC shows a series of situations in which the 'boring' twin is assigned tasks that the 'fun' twin would find mundane or 'boring' while at the same time would also be perceived as the correct thing to do in the given situation. Each situation showing the comparison of the twins is designed to be humorous.

The complainants' main focus appears to be the scene in which the 'boring' twin appears at the beach wearing a sun safe swim top, while the 'fun' twin appears wearing no shirt at all. The complainants state that this depiction is contrary to the Prevailing Community Standards on health and safety. We submit that it is not Unilever's intention to portray an unhealthy or unsafe practice in relation to the impact of the sun. Rather the depiction of the 'boring twin' in a sun safe top is one depicting what is in fact the correct thing to do in the circumstances. The depiction of the 'fun twin' without a shirt is representative of the rebellious nature of that twin. By showing the 'boring' twin wearing a sun safe shirt, the TVC is actually depicting the safe alternative. We submit that the reasonable consumer would understand this interpretation of the TVC.

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 material that is contrary to prevailing community standards on health and safety.

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.

Conclusion

We submit that we are not depicting material that is contrary to prevailing community standards on health and safety and/or in contravention with Section 2.6 as it is clearly a humorous interpretation which would be understood by the intended viewers.

In summary, we submit that the context of the TVC is well within Standards and that the TVC complies with Section 2.6 of the Code.

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 complainants' concern that the advertisement was undermining public health messages by suggesting to the community that it is 'uncool' to wear a rash vest whilst in the sun.

The Board viewed the ad and considered whether the advertisement was in breach of section 2.6 of the Code. Section 2.6 of the Code states:

"Advertising or marketing communications shall not depict material contrary to prevailing community standards on health and safety."

The Board noted that this advertisement is from a series of advertisements where there were various scenarios depicted focused on things that take time or are responsible but less fun than a range of other things. The Board noted the scene where the responsible twin, wearing a rash vest, takes his turn lining up for icecream, while his 'cool' twin waits until the responsible twin is at the front of the queue then joins him. The Board did not consider the message being sent out to viewers was that wearing a rash vest is uncool or the best thing to do while in the sun. The Board considered that the clear focus of the advertisement is to demonstrate responsible things to do but that sometimes it is more fun to do other things.

The Board considered that the depiction of the rash vest was undoubtedly meant to be seen as one of the responsible but boring things to do and considered that the advertisement as a whole did not send a message to the community that undermined sun safe messages. The Board determined that the depiction of wearing a rash vest as boring but responsible was not contrary to prevailing community standards on health and safety, in particular safety in the sun. The Board noted that the other twin is depicted looking popular and 'cool' without wearing a rash vest. The Board considered that the depiction of someone in the sun without a shirt is not of itself, and not in the context of this advertisement, contrary to prevailing community standards on health and safety. The Board determined that the advertisement was not in breach of section 2.6 of the Code.

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