



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 560/09  |
| 2. Advertiser                 | Coty Australia (Rimmel)                         |
| 3. Product                    | Toiletries                                      |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination      | Wednesday, 9 December 2009                      |
| 7. DETERMINATION              | Dismissed                                       |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement depicts a professional supermodel wearing Rimmel makeup. She is seen walking down the street in high fashion, and the voiceover says, ... Rimmel Max mascara. Our biggest brush ever with quick setting formula and 14 times more volume, take big to the max. The model is then depicted walking with a friend and says, "get the London look."

## **THE COMPLAINT**

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

*Corporate Paedophilia*

*This ad clearly uses a child/young teenager to sell their wares. The young child is also portrayed in a sexual way. The ad maybe targeting young teenagers.*

## **THE ADVERTISER'S RESPONSE**

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

*In response to the complaint regarding the 'sexualising' of a child/young teenager in the Rimmel London 'The Max Volume Flash' TV advertisement, we can confirm the model, Lily Cole, was 21 years of age at the time of filming.*

*The model was not portrayed in a 'sex/sexual/nude' manner as stated in the complaint.*

## **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 woman depicted in the advertisement was too young for the advertisement and it constituted sexualisation of children.

The Board noted the advertiser's response that in fact the woman in the advertisement was a supermodel and was 21 years old at the time of filming.

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the code states: "Advertising or marketing communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience."

The Board noted that the complainant had raised concerns regarding corporate paedophilia. The

Board considered that the advertisement was selling mascara and appealed to a young, corporate market who are fashion conscious and enjoy keeping up to date. The Board considered that the woman depicted in the advertisement was not a child and in fact was 21 years old at the time of filming. The Board considered that the advertisement was not sexually suggestive. The Board considered that the advertisement was not sexually suggestive, did not depict a young woman in an inappropriate manner and did not breach section 2.3 of the Code.

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