

CASE REPORT

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| 1. Complaint reference number | 58/10 |
| 2. Advertiser | Unilever (Lynx -Mynx) |
| 3. Product | Toiletries |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1
Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 10 March 2010 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

In this advertisement there are a group of people dancing, some with maracas, inside a latin cafe. There is a young man dancing tentatively and he is holding very small maracas. The man leaves the cafe and sprays himself with Lynx. When he reenters the cafe he is dancing confidently and is holding very large maracas. Women in the cafe now dance happily with the man. The new product Lynx Fever is described as Muchos Maracas.

THE COMPLAINT

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

When the guy first enters the party, he has small maracas and is trying to impress women, he is even laughed at.

He leaves the party, goes and showers and sprays on Lynx, magically his maracas grow really big.

He now returns to the party with giant maracas and now women are all over him.

The ad is a blatant metaphor stating that women are only interested in men with an extremely well-endowed genital area. And anyone who isn't, is to be made a mockery of. And that using the product is supposed to change genital size to make a guy more appealing to women. The ad itself is sexist and insensitive.

THE ADVERTISER'S RESPONSE

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

Thank you for your email letter of 1 February 2010 and the opportunity to respond to the complaint made in relation to the Lynx Fever Television Commercial (the "TVC").

We note that the ASB is considering the Lynx Fever Commercial in relation to an issue that falls under Sections 2.1 and 2.3 of the Advertiser Code of Ethics. For the reasons outlined below, we do not consider that the Commercial is in breach of section 2, in particular not of sections 2.1 and 2.3 of the Code.

1. The Complaint

The details of the complaint received by the ASB on 11 January 2010 are as follows:

Description of TVC: "Its the latin based ad where the guy shows up to a party with small maracas,

goes and showers, and comes back with big maracas."

Reason for Concern: "When the guy first enters the party, he has small maracas and is trying to impress women, he is even laughed at.

He leaves the party, goes and showers and sprays on Lynx, magically his maracas grow really big.

He now returns to the party with giant maracas and now women are all over him.

The ad is a blatant metaphor stating that women are only interested in men with an extremely well-endowed genital area. And anyone who isn't, is to be made a mockery of. And that using the product is supposed to change genital size to make a guy more appealing to women. The ad itself is sexist and insensitive"

2. Overview

Lynx is a brand with a history of fun, tongue-in-cheek, playful advertising. Lynx also has a proud history of award winning commercials which both entertain and surprise its consumers. We submit that the TVC continues this tradition of tongue in cheek entertainment and that the intended young adult male audience understands the playful and hyperbolic nature of the TVC and its distinction between fact and fiction.

As the TVC was only dispatched to Foxtel it has not been reviewed and rated by CAD. The TV media buying is targeted at the young adult male audience and as such the spot placements are amongst programming that is targeted at its intended audience such as comedy programs. The humour and content of the TVC is consistent within the context of this programming.

3. Section 2.1 Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of ... disability.

The TVC tells the story of a seemingly shy young man who is hesitantly dancing on his own in a South American looking bar holding a small pair of rumba shakers (percussion instruments) in his hands. Other young people in the bar are dancing with bigger rumba shakers. After having used the Lynx Fever deodorant outside the bar he returns and seems much more outgoing and a girl starts dancing with him. He is also holding two very large rumba shakers.

We submit that the TVC does not portray people in a way that discriminates against or vilifies a person or section of the community on account of disability. The TVC contains no reference that the different sizes of the rumba shakers used by the persons in the TVC is a reference to the size of their genitals. The TVC does not show or focus on the genital area of the young man in shorts nor is there an indication that the young man's genitals are small. None of the persons appearing in the TVC is looking at another person's genital area. The final statement "Muchas Maracas" is a play on the word Maraca which is the name of South American percussion instruments in the form of rumba shakers. In the English language the word "Maraca" is not used as a substitute for genitals and it is generally not known to have that meaning in other languages. In this particular TVC hyperbole is used to communicate the message to the intended audience. After having used Lynx the young man appears to be much more outgoing and charismatic and finds a girl to dance with him.

The complainant's statement 'The ad is a blatant metaphor stating that women are only interested in men with an extremely well-endowed genital area. And anyone who isn't, is to be made a mockery of' is based on a misunderstanding of the TVC's main premise. The young man in the TVC is not shown or referred to as having small genitals. At no point in the TVC is the young man rejected by a woman, he is simply dancing on his own at the beginning of the TVC.

The TVC does not degrade individuals or sections of the community, and cannot be considered sexist or insensitive as submitted by the complainant.

4. Section 2.3 Advertisements shall treat sex, sexuality and nudity with sensibility to the relevant audience and, where appropriate, to the relevant programme time zone.

We submit that the TVC does not contain any overt or ambiguous treatment of sex, sexuality and nudity and at no point does the TVC show or refer to sex, sexuality or nudity. The TVC is entirely

appropriate with respect to the programme time zones and intended audience. The relevant audience in the Lynx Fever TVC is a young adult male audience who we believe will understand the humour intended.

In particular, the TVC does not show or focus on the genital area of the young man in shorts nor is there an indication that the young man's genitals are small. The 'Maraca' is not used as a substitute for genitals (see above).

Approvals

Unilever is a responsible advertiser and has numerous internal review processes, including review by Unilever's Legal Department, and corporate relations to critique all advertisements to ensure compliance with legal and ethical considerations.

5. Conclusion

We submit that we are not portraying people with disabilities in any way in this TVC as the tone of the TVC is one of humour and playfulness.

In summary, we submit that the context of the TVC is well within prevailing community standards and that the TVC complies with sections 2.1 and 2.3 the Code.

Please contact me should you require any further information.

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' concerns that the advertisement is sexually suggestive and demeaning to men.

The Board viewed the advertisement. The Board considered that the images and references to the maraca size could be seen as a metaphor for sexual attractiveness. The Board considered however that the advertisement is not directly sexually suggestive and that young viewers, and indeed many adult viewers, would not pick up any sexual connotation. The Board considered that the advertisement is an exaggerated depiction of the confidence that the product will give a man and that it is clearly intended to be humorous.

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