



CASE REPORT

- | | |
|-------------------------------|---|
| 1. Complaint reference number | 583/09 |
| 2. Advertiser | Coca Cola South Pacific (to-do-list) |
| 3. Product | Food & Beverage |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination | Wednesday, 9 December 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement depicts an image of a person who is about to drink pump bottled water. On the page, there are ticked boxes next to several images including a whale, a hot air balloon ride and a party on the beach. The caption says "Big to do list?." Below the heading is a more prominent image of a woman jumping off a jetty, into the ocean. The woman appears unclothed. Next to her image is a larger square without a tick in it.

THE COMPLAINT

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

The ad is sexually provocative and objectifies women unnecessarily. Equating woman as objects in a list of things that need to be "done". It is demeaning and sexually repressive.

In addition to this while the ad might not be targeting children, Pump water (and bottled water in general) is known by many children as a healthy and good drink. Pump is also marketed to children in other arenas (such as McDonald's) and so will communicate inappropriate messages to children who recognize the "pump" advertising.

THE ADVERTISER'S RESPONSE

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

The ad is a promotion for Pump's "Big To Do" list, in which consumers are invited to weigh in with ideas for exciting or adventurous activities they would like to try. The creative depicts several activities that potentially could be on one's "to-do" list, such as whale watching, beach parties, tightrope walking and heli-jumping. The two female models in the ad illustrate two yet-to-be-achieved activities: dancing the tango on a rooftop (in which the dancer reaches out to invite the Pump drinker to dance with her) and skinny dipping. Consistent with all the other examples in the ad, it is the activities that are the "to-do" items, not the women. We believe the intention of our ad is clear - to encourage fun and activity - and do not believe the ad, when viewed as a whole, can easily be construed as demeaning a gender or promoting sexual behavior.

As for the complaint of nudity, the skinny-dipper is shown only in silhouette form and is not portrayed in any type of a sexual context. Again, the point of the entire creative concept is to encourage fun and adventure, not sexual activity.

We maintain that nothing in this ad is inherently offensive or in violation of community standards, and submit that it does not violate section 2.1 of the code. As you know, the ASB previously dismissed a similar complaint about the same Pump ad that appeared on a bus versus a billboard.

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 that it had previously considered this advertisement in a print context and that the current advertisement is an outdoor advertisement.

The Board noted the complainant's concerns that the advertisement objectified women by indicating that the woman was a "thing" that appeared on the to do list.

The Board noted the advertiser's response and viewed the advertisement.

The Board considered whether the advertisement was in breach of section 2.1 and 2.3 of the Code. Section 2.1 of the Code states:

"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 race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief".

The Board noted that the women were portrayed in a manner which might be interpreted as implying that the women were on the 'to do' list. However, the Board noted that the advertiser had explained that the advertisement was intending that skinny dipping or dancing were on the to do list and in the Board's view the more likely interpretation of the advertisement is that skinny dipping was the thing to be done.

The Board determined that the advertisement did not depict women in a demeaning or vilifying manner and the tone of the advertisement was not degrading in any way. The Board agreed that the advertisement did not breach section 2.1 of the Code.

The Board then 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 agreed that the picture of the naked woman diving into the sea was not overly sexualised and that the nudity displayed in the ad was discrete (due to the night time lighting) or likely to cause offense to members of the public. The Board considered that any sexual suggestion was unlikely and in any case extremely mild and that the advertisement was unlikely to be seen as sexually suggestive to children or to associate the product with sex or inappropriate treatment of women. The Board agreed that the advertisement 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.