



## CASE REPORT

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| 1. Complaint reference number | 92/08                                    |
| 2. Advertiser                 | Coopers Brewery Ltd (geishas)            |
| 3. Product                    | Alcohol                                  |
| 4. Type of advertisement      | TV                                       |
| 5. Nature of complaint        | Language – use of language – section 2.5 |
| 6. Date of determination      | Wednesday, 9 April 2008                  |
| 7. DETERMINATION              | Dismissed                                |

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features two geishas, one playing a traditional Japanese stringed instrument, and the other pouring Coopers Pale Ale in the tradition of a Japanese tea ceremony. As the woman with the Coopers drinks it from a glass, the other tries to get her attention by twanging loudly on her instrument. As the geisha stops drinking, the other asks in Japanese, with English subtitles "May I have a sip please?" The geisha with the Coopers smiles and finishes the whole glass, as a male voice is heard to speak in Japanese, with subtitles "Once you've had a Coopers Pale Ale you will understand how easy it is to become a selfish bitch". The woman with the instrument continues to play in frustration as the advertisement closes.

## THE COMPLAINT

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

*My reasons are the offensive language used in the subtitles 'selfish bitch'. No prior warning given that this ad would use offensive language. No real need to depict women in this way.*

*Profanity, use of swear word, not acceptable in common public conversation, let alone printed in an advertisement on T.V. Also very misogynistic. I doubt the same scenario would have been used with two males, and one labelled "a selfish Prick".*

## THE ADVERTISER'S RESPONSE

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

*The 60 second television advertisement has been through a rigorous process and gained approval from the Alcohol Advertising Pre-vetting System (AAPS) under AAPS approval number UL98/07. The advertisement also gained approval from Commercials Advice (CAD) where it received an M rating, to be played after 8.30pm.*

*All Coopers advertising for Pale Ale is intended to be light-hearted, fun and a little bit quirky. This reflects the brand's positioning and is used across all mediums. The current campaign "Precious Beer" uses different mediums to execute the notion that Coopers Pale Ale is so precious you'd do anything to protect it. The language used in this TVC is simply a colloquial expression used by Australians in daily life, it merely sets out to reinforce that Pale Ale is indeed precious beer. The use of the phrase "selfish bitch" is no more offensive than calling someone a bastard, an Aussie colloquialism used in everyday vernacular.*

*Section 2.5 of the AANA Code states "language which is appropriate in the circumstances", if someone was trying to take your last sip of Pale Ale, you too would react strongly.*

*The placement of the advertisement is very targeted and program specific, with a very low weighting. This complaint was raised during the Channel 9 program Underbelly, a program that has gained considerable notoriety, for its content of Melbourne's underworld. It will also appear in programs like Law & Order, SVU, Supernatural, Nip/Tuck and American Dad. All of these programs are targeted at a mature audience, and contextually are consistent with the quiriness of this ad.*

## **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 complaints' concerns and considered the advertisement under Section 2.5 of the Code which states:

*Advertisements shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided.*

The Board noted that the advertisement had received an M rating and could therefore only be shown after 8.30pm at night. They further noted that the words *selfish bitch* were not spoken in English but appeared on the screen as a subtitle.

The Board considered that the use of the word *bitch* in this way could not be considered strong or obscene and that it was relevant and acceptable to the adult audience that would view this advertisement.

The Board also noted the gentle humour used in the advertisement and found it to be a funny, inoffensive and clever advertisement.

The Board considered that the advertisement did not breach Section 2.5 of the Code.

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