



Case Report

1	Case Number	0103/14
2	Advertiser	The Body Shop
3	Product	Toiletries
4	Type of Advertisement / media	Poster
5	Date of Determination	09/04/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

The poster depicted a man in a towel after having a shower, a Jumbo Shower Gel tucked in to his waist. The tagline on the poster was “Wake up with a big one.”

THE COMPLAINT

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

It is the sexual connotation of waking up with an erection being used to sell the large bottle of shower gel. It is inappropriate to have in the window of the Body Shop where people of all ages can see it and be influenced by it. My 14 year old daughter was with me, and we both found it inappropriate.

THE ADVERTISER’S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

In March 2014 The Body Shop Australia launched a new jumbo-sized range of our most popular Shower Gels and Body Butters. These new Jumbo sizes offer our customers more product and better value for money.

To promote our new range to customers, a poster was placed in our store windows (not in the media). The poster depicted a man in a towel after having a shower, a Jumbo Shower Gel tucked in to his waist. The tagline on the poster was “Wake up with a big one” is a direct reference to the larger size of the Jumbo range and encourages our customers to use the Jumbo shower gels in their morning shower routines.

Our core business focuses on bath and shower products, which is why we chose to use a man getting out of the shower with a towel around his waist.

*Australian Association of National Advertisers Code of Ethics
Section 2 Consumer Complaints*

2.1 Discrimination or vilification

Our advertisement did not depict material in a way which discriminates against or vilifies a person, section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

2.2 Exploitative or degrading

Our Jumbo range window feature did not employ sexual appeal in a manner which is exploitative and degrading to any individual or groups. The campaign visual pictured a man with less skin exposed than most underwear ads.

2.3 Violence

There was no violence depicted in the Jumbo range window display.

2.4 Sex, sexuality and nudity

The image used in to window display is of a male model wrapped in a towel with the one of The Body Shop’s Jumbo sized shower gels tucked in to the top of the towel . He is not posing provocatively or in a way that reinforces anything sexual. Contrary to the complaint, the tagline does not refer to an erection but instead implies we want our customers to try out this new value for money size.

2.5 Language

The copy on the Jumbo window display reads “Wake up with a big one”. This is an obvious play on words referring to the larger sizes and fantastic value price point of our product. We deliberately left the statement open to interpretation without being explicit. The supporting creative also reinforces the direct connection to our Jumbo product and its inherent value price point (eg. Jumbo Sized Heroes, More Bang for Your Buck, Super-Sized, Lather up for Longer; Go Nuts – referring to nutty scents of Shea and Almond, etc). Whilst we clearly intended to leverage The Body Shop’s longstanding history of being a fun, cheeky brand, we feel we did not over step any mark by leaving enough to interpretation and supporting our hero image / statement with direct references to product and price.

2.6 Health and Safety

The window display did not depict material that contradicts the Prevailing Standards on health and safety.

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 concerns that the advertisement uses the sexual connotation of waking up with an erection in order to promote a shower gel and this is inappropriate in the context of a poster which can be viewed by children.

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

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 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 advertisement features a supersize bottle of shower gel tucked into the towel around a man’s waist.

The Board noted the complainant’s concerns that the wording of the advertisement, “wake up with a big one” is a sexual reference to waking up with an erection. The Board noted that whilst the advertisement does employ sexual innuendo in the Board’s view it is unlikely that young children would understand the reference. The Board noted that the advertisement features a large bottle of shower gel and considered that a reasonable interpretation is that you should wake up with a shower and using a large bottle of shower gel can be part of that morning ritual.

The Board noted that the shower gel had been tucked into the towel wrapped around the man’s waist and considered that the depiction of a man in a towel with the shower gel is not inappropriate in the context of an advertisement for shower gel. The Board noted that the man’s private areas were covered up and considered that the level of nudity was mild and not inappropriate for outdoor display where a broad audience, including children could view it.

Based on the above the Board considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

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