



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0231/18
2	Advertiser	Revlon Australia
3	Product	Toiletries
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	09/05/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement begins with a woman lip-singing to the song "Blow Your Mind (Mwah)" by Dua Lipa. A number of other women are depicted dancing to the song and blowing kisses in time with the music. The women are also depicted putting on lipstick.

THE COMPLAINT

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

The song that is playing during the ad stated if we don't (fuck is played over) we can make this last

This is not appropriate in my opinion for tv or radio advertising, my kids walk around singing this without realising what this means

THE ADVERTISER'S RESPONSE



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

Revlon takes this complaint very seriously and welcomes the opportunity to respond to the complaint. As requested by Ad Standards, we submit the following information:

Details of the CAD reference number and CAD rating (where applicable)

CAD approval for SL 15": W5JVJTCF

Advertiser's Comprehensive Comments

The advertisement at issue is a 15 second spot for Revlon Super lustrous lipstick. It depicts a group of fully clothed, fashionably dressed women applying and wearing lipstick with a bold attitude in trendy settings. The consumer complaint does not reference any of the product claims or visuals in the advertisement. Rather, the consumer complaint focusses solely on the song played during the 15 second advertisement, a version of "Blow Your Mind (Mwah)" by the world renown recording artist Dua Lipa edited to remove profanity (the F word). The edit used in the advertisement removes the F word from the following line in the song: "If we don't (F word) this whole thing up guaranteed I will blow your mind (Mwah)".

The complaint states:

"The song that is playing during the ad stated if we don't (F is played over) we can make this last. This is not appropriate in my opinion for TV or radio advertising, my kids walk around singing this without realising what this means.

Dua Lipa originally released the song "Blow Your Mind (Mwah)" in 2016. Despite the song using the F word it was widely played unedited on the radio and elsewhere all over the world. It was so extremely popular that it reached the top 100 charts for recordings in the UK, Australia, Belgium, Ireland and the US (see https://en.wikipedia.org/wiki/Dua_Lipa_discography).

The consumer complaint alleges that the use of the edited song resulted in the consumer's children singing the unedited line from the song that includes the F word. However, as used in the advertisement, the F word does not appear in any manner. It is not heard nor spoken nor mouthed, nor is there any depiction of actions that would indicate or imply the F word. The popularity of the unedited song in Australia raises the likelihood that the children heard the unedited version elsewhere.

Section 2.5 of the AANA Code of Ethics states the following:

2.5 Advertising or Marketing Communication shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and



medium). Strong or obscene language shall be avoided.

The advertisement contains no strong or obscene language and is fully compliant with the language requirements stated in Section 2.5 of the AANA Code of Ethics. There is no possibility that the complainant's children heard or inferred the F word simply from viewing the advertisement in question.

Section 2 of the AANA Code of Ethics

Ad Standards has instructed that as part of our comprehensive comments, we must address the remaining parts of Section 2 of the AANA Code of Ethics. We address the remaining sections in order:

2.1 Advertising or Marketing Communication 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, gender, age, sexual preference, religion, disability, mental illness or political belief.

The advertisement in question does not discriminate or vilify.

2.2 Advertising or Marketing Communication shall not employ sexual appeal: (a) where images of

Minors, or people who appear to be Minors, are used; or (b) in a manner which is exploitative or degrading of any individual or group of people.

The advertisement in question does not feature minors and is neither exploitative or degrading of any individual or group of people.

2.3 Advertising or Marketing Communication shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

The advertisement in question does not portray any violence.

2.4 Advertising or Marketing Communication shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

The advertisement in question does not portray sex, sexuality or nudity.

2.6 Advertising or Marketing Communication shall not depict material contrary to Prevailing Community Standards on health and safety.

The advertising in question complies with prevailing community standards on health and safety.



2.7 Advertising or Marketing Communication shall be clearly distinguishable as such to the relevant audience.

The advertisement in question is clearly distinguishable as an advertisement.

Revlon appreciates and welcomes the opportunity to address this complaint.

THE DETERMINATION

The Ad Standards Community Panel (the “Panel”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Panel noted the complainants’ concern that the advertisement references inappropriate language.

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

The Panel considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.

The Panel noted the television advertisement features the song ‘Blow Your Mind’ by Dua Lipa.

The Panel noted the complainant’s concern that the original lyrics are ‘if we don’t fuck this whole thing up’ and that although the word is played over in the advertisement the song is not appropriate to be heard by children.

The Panel noted the advertiser’s response that the F word was not featured in the advertisement and that it was unlikely children would infer the F word without already being familiar with the song.

The Panel considered that the advertisement does not contain the word ‘fuck’ and the lyrics heard in the advertisement are ‘if we don’t ... this whole thing up’.

The Panel considered that no part of the word ‘fuck’ can be heard and there were many words that could be used in the break of the song.

The Panel noted that it had consistently determined that advertising which beeps or



obscures offensive language will usually not breach Section 2.5 of the Code provided that the language is not used in an aggressive manner, and that the offensive terms are sufficiently obscured (0491/17, 0324/16, 0068/14, 0129/12).

Consistent with previous determinations, the Panel determined that the advertisement did not use language which was inappropriate in the circumstances and did not breach Section 2.5 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.