



## CASE REPORT

1. Complaint reference number 52/08
2. Advertiser Mars Australia (Miss M 'n' M Green)
3. Product Food & beverages
4. Type of advertisement Print
5. Nature of complaint Discrimination or vilification Gender - section 2.1  
Discrimination or vilification Political belief – section 2.1  
Portrayal of sex/sexuality/nudity – section 2.3  
Other - Environmental issues
6. Date of determination Wednesday, 12 March 2008
7. DETERMINATION Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

This print advertisement issued as a giveaway card, features a cartoon depiction of the Miss Green M 'n' M wearing white cowboy boots and hugging a tree to which she is handcuffed. Only stumps of trees survive in the surrounding forest, where turbine wind-mills can be seen in the distance. Text accompanying the advertisement reads "Vote 1 Green" and "Miss Green, working the polls." On the back of the card are quotes from Miss Green:

- Age: Let's just say I'm experienced.  
Weight: How dare you?  
Campaign Policy: All beaches to be nudist beaches.  
Interests: Right now I'm focussing all my attention on the top position.  
Favourite Music: "Tranquil Sounds of Nature vol 6" is amazing.  
Favourite Movies: "The Green Mile". That Michael Clarke Duncan is sexy as hell.  
Favourite Books: "How To Work The Polls".  
Favourite Quote: "When I'm good I'm very good. But when I'm bad I'm better".  
About Me: I may have a pretty hard shell, but I assure you I'm sweet on the inside.

## THE COMPLAINT

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

*I object to the representation of women in this advertisement, especially as M&M's are for children and adults alike. To turn an M&M into a slutty [excuse the language] pole dancer sends a terrible message to young girls. We do not need chocolates reinforcing the over-sexualisation of women any further. In addition, the link to saving the trees and renewable energy is a cheap shot... that Miss Green is really saving the trees by dancing on them is false. The misleading link to the Greens political party is also deeply inappropriate. M&M's are offending both women and environmentalists. They should choose positive representations of women. Interestingly, the most of the male M&M characters seem perfectly acceptable, except for the red M&M who is very aggressive and into world domination. Why make the one and only female M&M an exhibitionist pole dancer? I am sick and tired of women being represented in this way. And to have a chocolate do it makes me very angry.*

## THE ADVERTISER'S RESPONSE

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

*The complainant's letter indicates their specific concern relating to them feeling offended by the way women are portrayed in the M&M® election advertisement and the association to saving the environment.*

*There can be no denying that Miss Green is playing up a 'strong, independent and sexy' character, very much like the characters depicted in TV program such as 'Sex in the City'. There is absolutely no discrimination or vilification in this. The line "when I'm good I'm good and when I'm bad I'm better" is in fact a famous Mae West quote.*

*As for the political issue raised in relation to the Greens political party, it is important to highlight that the M&Ms® Election Campaign is not a real world election. Miss Green has no alignment to any political party.*

*In terms of the specific complaints:*

- 1. Miss Green has always worn white boots as part of her attire;*
- 2. The handcuffs are a classic protester tool to prevent entry, or in this case cutting down of the tree that she is trying to save;*
- 3. While Miss Green is a female she isn't a woman, she is a candy; and*
- 4. Being literal, 'Working the polls' is different to 'Working the 'poles'. The TVC clearly articulates 'working the polls' as a political statement and not a sexual one.*
- 5. The unique proposition of M&Ms® is one of colourful chocolate fun.*

*It is also important to note that the target market for M&Ms® is 16 –39 year olds and therefore this campaign is in no way aimed at children. Mars Snackfood's Marketing Code stipulates that we will never advertise to children under 12 years of age, and the promotion itself strictly precludes children under the age of 13 from entering.*

*Whilst our advertising in this instance depicts the hype surrounding an election and the individual profiling of each of the different coloured M&M®, the campaign does not intend to offend women or have any alignment to a political party or social causes.*

*Whilst we can understand the sensitivity that some viewers may have about the portrayal of women in the media, we cannot accept that this advertisement actually represents in any way women in an over sexualised manner*

*Accordingly we believe our M&Ms® advertising meets the provisions of the Code, so the complaint should be dismissed.*

## **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 concerns of the complainant that the depiction of Ms Green discriminated against women and portrayed sex and sexuality inappropriately.

The Board noted that Ms Green is not a person but is an imaginary figure made of confectionery. It further noted the use of imagery in the advertisement evoked an environmental protest and that the use of handcuffs is regarded as a universal sign of protest. The Board considered that the fact Ms Green is surrounded by the stumps of fallen trees and the tree she is chained to is the only one standing was in line with a political statement and was not a depiction of pole dancing.

The Board did not consider the image of Ms Green discriminated against women, nor did it portray sex or sexuality in an inappropriate way and it was consistent with current social values.

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