



CASE REPORT

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| 1. Complaint reference number | 31/04 |
| 2. Advertiser | Pacific Brands Holdings Pty Ltd (Berlei Sport) |
| 3. Product | Clothing |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 17 February 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement begins with a close up shot of a woman's chest while she is jogging without a bra support but with a T-shirt on. The advertisement cuts to a side on shot of the woman jogging but her upper torso is shown as naked through a visual effect blue smoke screen and her breast can be seen. The purpose of showing these images is to measure the amount of movement in the female's breast as she jogs and to compare the support when wearing a Berlei sports bra.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

"I am astounded that an ad which is quite simply soft porn and is a crude attempt at pushing the boundaries could be shown on Television."

"How lacking in taste is an ad for Nude Bra, which is just another form of voyeurism so common today in advertising of underwear especially."

THE ADVERTISER'S RESPONSE

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

"The advertising is designed to cut through and create a call to action, to women who are unaware of the facts."

"The ad does not have a sexy, demeaning, voyeuristic or humorous tone. It has been constructed to support the serious message it is presenting. Our programming has been chosen against shows which we know women watch (not men)."

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 in the context of prevailing community standards, the majority of people would not find the images depicted in the advertisement offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of sex/sexuality/nudity.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.