



CASE REPORT

- | | |
|-------------------------------|---|
| 1. Complaint reference number | 32/04 |
| 2. Advertiser | Nova 100 (Frankenstein) |
| 3. Product | Media |
| 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 depicts a laboratory where Dr Frankenstein is working to create a monster. The Nova 100 breakfast DJ's are on the radio in the background discussing the purpose of the male nipple. After hearing the radio discussion, Dr Frankenstein places electric sockets on the monster's chest instead of nipples and uses the electric sockets in a kitchen to plug a blender in and make margaritas. The tagline is "Change your mornings with Nova 100."

THE COMPLAINT

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

"Firstly I think the time that the ad is played is very inappropriate."

"I find it most offensive that impressionable children are subject to the obscure visual messages the ad portrays. Secondly I find it offensive that the topic of nipples and the discussion of how sensitive they are and the function of them is discussed in correlation with the visuals of the ad."

"I find this offensive at this time of day especially since small children may be watching"

"It is a sickening and frightening image."

"It makes me fell ill ... it is horror movie material, not ad break material."

THE ADVERTISER'S RESPONSE

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

"The advertisement is rated "W" and has been shown in the appropriate time slot."

"... the advertisement is a very innocent parody on the creation of a Frankenstein character."

"There is not even a sexual innuendo in the advertisement, it is not gory but ridiculously fake and is quite clearly not serious. No reasonable viewer could find this offensive."

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

find this advertisement humorous rather than 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.