

Case Report

1. Case Number :	0138-25
2. Advertiser :	Top to Bottom Plumbing
3. Product :	Professional Service
4. Type of Advertisement/Media :	Billboard
5. Date of Decision:	2-Jul-2025
6. Decision:	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.4 Sex/sexuality/nudity
AANA Code of Ethics\2.5 Language

DESCRIPTION OF ADVERTISEMENT

This billboard advertisement features a bright teal colour with white and yellow text reading "EMERGENCY LEAK? We come fast, when it's wet." The words "come fast" and "wet" are underlined and in yellow. The Top to Bottom Plumbing company logo appears at the bottom featuring a cartoon person bending over to expose part of their buttocks.



THE COMPLAINT

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

Sexual connotation to ad which is offensive for a public advertising space.

THE ADVERTISER'S RESPONSE

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

We thank Ad Standards for the opportunity to respond to the complaint received. The purpose of this advertisement is to promote our plumbing services, specifically our fast response time for plumbing emergencies such as burst pipes, flooding, leaks, and other water-related issues. In our industry, when a serious leak occurs, a prompt response is critical to prevent extensive water damage, mold growth, safety hazards, and property loss.

The wording "Emergency Leak? We come fast when it's wet" is directly referencing our ability to respond quickly in situations where water leakage has occurred. The phrase is intended as a light-hearted play on words commonly seen in local small business advertising to capture attention, but its core message remains directly related to our business operations: rapid emergency plumbing service when water is present.

We respectfully submit that the ad is not intended to have any sexual connotation, nor does it contain sexual imagery, nudity, offensive language, or explicit content. It is distinguishable as advertising for a plumbing business, referencing circumstances that are inherently wet by nature due to the service we provide.

We acknowledge that some viewers may interpret wording differently; however, it was never our intention to cause offense. The ad was created solely to emphasize the speed and responsiveness of our service in urgent situations.

In relation to Section 2 of the AANA Code of Ethics:

2.1 Discrimination or vilification: Not applicable.

2.2 Exploitative or degrading: Not applicable.

2.3 Violence: Not applicable.

2.4 Sex, sexuality and nudity: The advertisement contains no sexual content, nudity, or sexual imagery. Any interpretation of sexual connotation is unintended.

2.5 Language: The language used is appropriate and suitable for general audiences.

2.6 Health and Safety: The advertisement poses no health or safety concerns.

2.7 Distinguishable as advertising: The advertisement is clearly identifiable as a plumbing business advertisement.

Importantly, this advertisement has been running for over 12 months prior to this complaint being received. During this time, we have not received any complaints or concerns raised by the general public. To date, this is the first and only complaint received. Given the wording and nature of the complaint, we respectfully believe it may have originated from a competitor within the plumbing industry, rather than a genuine member of the public who found the advertisement offensive.

We remain committed to community standards and will take on board any recommendations made by the Community Panel.

THE DECISION

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 complainant's concern that the advertisement is inappropriate for a broad audience which includes children.

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

Section 2.4: Advertising shall treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Panel noted the Practice Note for the Code states:

"Overtly sexual depictions where the depiction is not relevant to the product or service being advertised are likely to offend Prevailing Community Standards and be unacceptable."

Does the advertisement contain sex?

The Panel considered whether the advertisement contained a depiction of sex. The Panel noted the definition of sex in the Practice Note is "sexual intercourse; person or persons engaged in sexually stimulating behaviour".

The Panel noted that the advertisement does not include people engaged in sexual activities and does not contain sex.

Does the advertisement contain sexuality?

The Panel noted the definition of sexuality in the Practice Note is “the capacity to experience and express sexual desire; the recognition or emphasis of sexual matters”.

The Panel also noted the advertiser's response states that the advertisement is not intended to have any sexual connotation but also states the light-hearted play on words is designed to capture attention. The Panel considered that the advertisement contains clear sexual innuendo which would be obvious to most adults viewing the advertisement.

The Panel considered that the advertisement features sexual innuendo and contained sexuality.

Does the advertisement contain nudity?

The Panel noted that the definition of nudity in the Practice Note is “the depiction of a person without clothing or covering; partial or suggested nudity may also be considered nudity”.

The Panel noted the advertisement features an image of a cartoon person bending over with part of the buttocks exposed. The Panel considered that this constitutes partial nudity.

Are the issues of sexuality and nudity treated with sensitivity to the relevant audience?

The Panel noted that the definition of sensitivity in the Practice Note is “understanding and awareness to the needs and emotions of others”.

The Panel noted that assessing whether sexual suggestion is ‘sensitive to the relevant audience’ requires consideration of who the relevant audience is and how they are likely to react to or feel about the advertisement.

The Panel noted that the advertisement is on a billboard and the relevant audience would be broad and may include children.

The Panel considered that the advertisement featured a very low level of nudity that was not inappropriate for a broad audience.

The Panel noted the advertiser’s response that “We come fast when it’s wet” is a term that refers to services available. The Panel noted that while this may also have a sexualised meaning, there is no other sexual imagery or wording which would make the advertisement explicitly sexual.

The Panel considered that the sexual innuendo in the advertisement was mild and had another meaning relevant to the services provided by the business. The Panel considered that the sexuality in the advertisement was treated with sensitivity to the relevant broad audience.

Section 2.4 conclusion

The Panel found that the advertisement did not breach Section 2.4 of the Code.

Section 2.5: Advertising 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 Practice Note for this section of the Code includes:

“Words and phrases which are innocuous and in widespread and common use in the Australian vernacular are permitted provided they are used in a manner consistent with their colloquial usage, for example with gentle humour, and not used in a demeaning or aggressive manner.

Advertising that uses sexualised double entendre will often be seen to not breach the Code when there is a non-sexualised interpretation which would be understood by children viewing the advertisement.”

Consistent with the determination under Section 2.4, the Panel considered that the sexual innuendo in the advertisement was mild and had another meaning relevant to the services provided by the business. The Panel considered that the language in the advertisement was appropriate in the circumstances and was not strong or obscene.

Section 2.5 conclusion

The Panel considered that the advertisement did not breach Section 2.5 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.