# Case Report

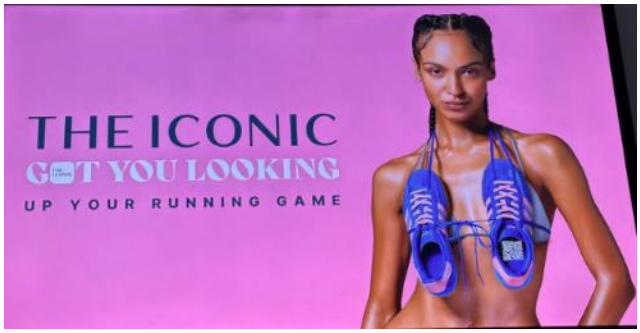
**Case number:** 0246-25
**Advertiser:** The Iconic
**Medium:** Billboard
**Decision date:** 22-Oct-2025
**Decision:** No breach

## ISSUES CONSIDERED BY THE COMMUNITY PANEL

- AANA Code of Ethics - 2.4 Sex/sexuality/nudity - no breach
- AANA Code of Ethics - 2.6 Health and Safety - no breach

## AD DESCRIPTION

This billboard ad features an image of a woman wearing a sports bra with a pair of joggers around her neck covering her breasts. The text 'The Iconic. Got you looking. Up your running game' appear beside the image.




## SUMMARY

### Complaint

A complaint was received on the grounds that the advertisement depicted an image of an extremely young and thin topless woman. It sets an unhealthy body standard.

### Advertiser response

The advertiser has not provided a response.

### Decisions

The Panel found that the ad did not breach section 2.4 or 2.6 of the Code of Ethics as the ad, because it did not feature sexual content in a manner that was insensitive to the audience, and because it did not feature content that was contrary to prevailing community standards on health and safety.

## ASSESSMENT AND DECISIONS

**Section 2.4 (AANA Code of Ethics): Advertising shall treat sex, sexuality and nudity with sensitivity to the relevant audience.**

The Practice Note 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.
>
> Overtly sexual images are not appropriate in outdoor advertising or shop front windows.
>
> Although not exhaustive, the following may be considered to be overtly sexual:
>
> ... People depicted in ... clothing where a large amount of ... female breasts can be seen.
>
> Images of models in bikinis or underwear are permitted; however, unacceptable images could include those where a model is in a suggestively sexual pose.

### Panel assessment

The Panel considered the Complainant's objection to the fact that the model was topless. The Panel considered that this required a determination on whether the ad treated sexuality and nudity with the appropriate sensitivity.

**a) Does the ad contain sex?**

The Panel considered whether the ad 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 considered that the ad did not feature anything that suggested sex, and did not contain anything that would be regarded as sex or sexually stimulating behaviour.

The Panel, therefore, found that the ad did not contain sex.

**b) Does the ad 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 considered that the image did not convey sexuality, an expression of sexual desire or make any reference to sexual matters. The Panel also considered that the image and model were not sexualised in any way.

The Panel, therefore, found that the ad did not contain sexuality.

**c) Does the ad 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 considered that the model was not, in fact, topless as suggested by the complainant. The Panel considered that it might not be immediately noticeable, due to the size of the shoes around her neck, but noted that she appeared to be wearing a bikini top.

The Panel Noted, however, that the bikini top was not immediately noticeable, and that the curvature of her breasts and cleavage was visible in the ad. The Panel, therefore, considered that the ad contained partial nudity.

**d) Is the issue of 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 nudity 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 ad.

The Panel considered that that the billboard would likely be seen by a broad audience, including children.

The Panel considered that the lack of any sexual suggestion, the fact that the ad did not focus on any particular part of the model in a way that emphasised her nudity, and the fact that she is wearing a bikini top, which would be familiar to most people, meant that the image was prepared with suitable sensitivity to the relevant audience

**Panel decision**

The Panel found that the ad did not breach section 2.4 of the Code of Ethics.

**Section 2.6 (AANA Code of Ethics): Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.**

The Practice Note states:

> Advertising must not portray an unrealistic ideal body image by portraying body shapes or features that are unrealistic or unattainable through healthy practices.
>
> An unrealistic ideal body image may occur where the overall theme, visuals or language used in the advertisement imply that:
>
> - a body shape, or feature, of the kind depicted … is required to use the product or service or to participate in an activity associated with the product or service;
> - those people who do not have a body shape, or feature, of the kind depicted cannot use the product or service, or participate in a particular activity; or
> - those people who do not have a body shape, or feature, of the kind depicted should alter their body shape, or features, before they can use the product or service, or participate in a particular activity.
>
> BODY SIZE: The Code does not require the use of 'healthy weight' models as this term could exclude people in smaller or larger bodies from advertising and unnecessarily limit the portrayal of diversity in society. As such, advertisements may include a diversity of images,

including people who have a variety of sizes and shapes, but advertisers should take care to avoid images of people with extreme body weights or shapes that are unrealistic or unattainable through healthy practices which are not justifiable in the context of the product or service advertised, and which are contrary to prevailing community standards relating to health and safety.

### Panel assessment

The Panel considered that the model is meant to depict a fit person, presumably a runner. The Panel considered that, while the model appears lean, she is not gaunt, does not appear to be unhealthily thin, and does not give an impression of requiring unhealthy practices to achieve a specific look.

The Panel considered that, in the context of running shoes, a thin, lean model is not likely to be considered unreasonable, and would not be contrary to prevailing community standards on health. The Panel considered that people are unlikely to interpret this ad to suggest that everyone should look like this, or that anyone who does not look like this is in some way inferior, or would be prevented from using these shoes.

The Panel considered that nothing in the ad promoted unhealthy practices or presented an unrealistic body image as desirable.

The Panel considered that the ad did not contain material contrary to Prevailing Community Standards on health and safety.

### Panel decision

The Panel found that the ad did not breach section 2.6 of the Code of Ethics.

## OTHER CONSIDERATIONS

The Panel found that the ad did not breach any other section of the advertising codes.