



CASE REPORT

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| 1. Complaint reference number | 99/04 |
| 2. Advertiser | Austereo Group Ltd (2DayFM/92.9) |
| 3. Product | Media |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 Language – use of language – section 2.5 |
| 6. Date of determination | Tuesday, 11 May 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement depicts a purple hippopotamus character wearing a sumo wrestler outfit who dances and bends over showing its bottom. The tagline of the advertisement is “Crack the Code.”

THE COMPLAINT

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

“I find this advertisement unnecessary and offensive not only to me, but by my family and others I have spoken to.”

“It is coarse and vulgar use of language.”

“Whilst it is a play on “Crack” when the caricature shows us his behind, it is offensive and unnecessary viewing.”

THE ADVERTISER’S RESPONSE

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

“The advertisement displays no nudity and the character is a cartoon figure.”

“It is a cartoon and does not contain any nudity and does not treat sex or sexuality in a manner which breaches the Code.”

“... the appearance of a sumo wrestler on the television is not offensive and is well within standards accepted by the community.”

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 this advertisement offensive.

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

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

dismissed the complaint.