



CASE REPORT

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| 1. Complaint reference number | 259/05 |
| 2. Advertiser | Triumph International (Aust) Pty Ltd (Xtrovert Maximiser) |
| 3. Product | Clothing |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 11 October 2005 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement features a photograph of a woman wearing a white push-up bra and briefs. The woman is photographed against a black background. The words “Xtrovert” appear to the right of the woman. The Triumph logo appears in the top right hand corner of the advertisement.

THE COMPLAINT

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

“... I believe that there should be a strong moral code in society... the decimation of this code is slowly but surely in progress, chipping away at society little by little. The marker keeps moving and what one day seems shocking becomes tolerable, then acceptable. This kind of advertising is trying to sell a product with sex... What are we teaching our young by allowing such obvious displays of sultry behaviour in a public setting, which, no doubt, provides a clear message of silent community condonement of the public display of this type of behaviour? I am also aware of the effect of this kind of advertising on men. It comes down to maintaining the good moral fibre of ourselves and our community. This is becoming increasingly difficult due to the bombardment of this kind of sultry and explicit advertising. There are already too many broken families and the ensuing consequence of these.”

THE ADVERTISER’S RESPONSE

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

“As a manufacturer of women’s underwear, showing a woman in underwear ... in our advertising is not a gratuitous display of unrelated semi nudity/sexuality but the way in which we functionally demonstrate our product’s actual benefits.”

“The model shown in the advertising is not being demeaned or compromised in either the pose or the context in which she has been placed. She is depicted as feminine, mature, confident and in control of herself and her choices.”

“As this style of bra is often chosen by consumers to wear for a special evening occasion, the lighting and mood of the shot is intended to capture nothing more than an evening ambience that allows the consumer to connect with the usage occasion.”

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 the image in the advertisement did not portray any nudity and that the image was

not overly graphic in that it did not expose the breasts or genitals in any way.

The Board was of the opinion that the images used in the advertisement were relevant to the product being advertised.

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

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