



ADVERTISING  
STANDARDS  
BUREAU

Level 2, 97 Northbourne Avenue, Turner ACT 2612  
Ph (02) 6173 1500 | Fax (02) 6262 9833  
[www.adstandards.com.au](http://www.adstandards.com.au)  
ACN 084 452 666

## Case Report

|   |                               |                   |
|---|-------------------------------|-------------------|
| 1 | Case Number                   | 0003/14           |
| 2 | Advertiser                    | AdultShop.com Ltd |
| 3 | Product                       | Sex Industry      |
| 4 | Type of Advertisement / media | Radio             |
| 5 | Date of Determination         | 15/01/2014        |
| 6 | DETERMINATION                 | Dismissed         |

### ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

### DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement features a man and woman talking about how excited they are because the new we vibe 4 is now available at adultshop.com. Their voices sound like they are vibrating. They describe the product as a "toy for two" and that you will think "all your Christmases have come at once".

We then hear a different female voice laugh and say, "adultshop.com"

### THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

*While I am a normal person who does enjoy the benefits of these things, (I have 4 children...) I think it highly inappropriate a run of the mill, average radio station which plays standard chart music with target audiences around the 13-40 year range, would play sex toy adverts between the hours of 9am and 8pm, when considering that they play top ten count downs etc, which children listen too.*

*I find in a day and age where children are abused more and more, are being active active at younger and younger ages, that such adverts were played in such inappropriate times... To me, a sex toy targets 18-old people, enhances for dysfunction would target 30 - old peoples and therefore in a top ten countdown or at lunch times, proves inappropriate.... Just a*

*concern, seeing as the content on radios seems to go further and further now to try make presenters look cool. I mean one presenter even said on a morning show they pray to satan in case they go to hell and will need the brownie points... Seems a little out there lately*

## **THE ADVERTISER'S RESPONSE**

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

*adultshop.com is very aware of our requirements under the advertising standards act and how we must specifically relate to section 2.4, pertaining to material of a sexual nature. We have begun to outsource our advertising creative in order to come up with clever, inferential commercials that avoid any language that would engage children, while getting our communication through to our target audience.*

*The commercial that is being referred to we feel had not transgressed section 2.4 of the Ad Standards act either technically or morally in this case. It was two adults talking about heading into the store for the new released We-Vibe 4 that has arrived at adultshop.com just in time for Christmas.*

*The complaint that has been received does not really talk about the content of the commercial more that they feel it is morally wrong for the radio station to be able to play any "sex toy advert" between the hours of 9am - 8pm. I am not sure how to respond to this as the stations are the ones that allocate the times the commercials will be heard.*

*If there is anything further you require please do not hesitate to contact me.*

## **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 the complainant's concern that the advertisement is promoting sex toys and is inappropriate for children to hear.

The Board reviewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".

The Board noted the advertisement features a man and woman discussing the new We Vibe 4 adult toy and that their voices have been modified to sound like they are vibrating.

The Board acknowledged that there is a level of community concern surrounding the advertising of adult themed products and noted that adult shops and their products are legally allowed to be advertised.

The Board noted the complainant's concerns regarding the promotion of sex toys. The Board noted that the advertisement makes reference to adult toys but considered that this language is mild and discreet.

The Board noted the complainant's concerns that children could hear the advertisement regardless of what time of day it is played and considered that while some members of the community may prefer that an advertisement for an adult store not have their products advertised, in the Board's view the references to sex related products in the advertisement are very mild and would be unlikely to be understood by younger children.

Consistent with recently dismissed radio advertisements for Sexyland Store (0290/13) and Adultshop (0344/13), and based on the above, the Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.