



**ADVERTISING
STANDARDS
BUREAU**

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

Case Report

1	Case Number	0005/14
2	Advertiser	My Chemist
3	Product	Toiletries
4	Type of Advertisement / media	Print
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

The advertisement is a full page print image of some of the perfumes available to buy from My Chemist. There is an image of the perfume packaging for Katy Perry's perfume which features the singer wearing a low cut top, and another image depicts Rihanna wearing black undies and high heeled shoes next to a bottle of her perfume.

THE COMPLAINT

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

Surely this sort of advertising is totally unnecessary. It is offensive and should not appear in a daily newspaper.

THE ADVERTISER'S RESPONSE

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

The advertiser did not respond.

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 concerns that the advertisement features unnecessary and offensive sexualised images of Rihanna and Katy Perry.

The Board reviewed the advertisement and noted the advertiser had not provided a 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 that the advertisement is a full page print image of some of the perfumes available to buy from My Chemist. The Board noted that one image is of the perfume packaging for Katy Perry’s perfume, and another image depicts Rihanna wearing black undies and high heeled shoes.

The Board noted it had previously dismissed a complaint about the use of an image of Lady GaGa to promote her perfume (0457/12). In that instance “The majority of the Board considered that whilst Lady GaGa is presented in a manner which is sexualised this portrayal is in keeping with the public persona of this high profile singer.”

In this instance the Board noted that the images of Rihanna and Katy Perry were provided to the advertiser by the perfume companies as the stock images to be used in all advertising and considered that the images are consistent with their high profile public personas.

The Board noted that whilst the image of Rihanna does show some nudity, and the image of Katy Perry shows some cleavage, in both images all the private areas are covered. The Board considered that the impact of the poses and level of nudity in the images of Rihanna and Katy Perry was reduced by the relatively small size of the images.

Consistent with its previous determination the Board considered that advertising material in print media for a pharmacy is not of strong appeal to children and the advertisement under complaint 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 complaints.

