



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0015/19
2	Advertiser	Pixelberry Studios
3	Product	Entertainment
4	Type of Advertisement / media	App
5	Date of Determination	06/02/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This app advertisement features female walks into house and finds clothes thrown around. She receives 2 options and a hand selects what the character will do next (simulating a user making a selection within our books). Then, she proceeds to check the bedroom and sees her partner sitting in bed next to another character. She receives 2 options and the creative end-card populates with call to action to download the game, creating a cliff-hanger.

THE COMPLAINT

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

This ad was shown in a game called Six! by Gram Games with a rating 4+ years. My grandchildren 6years and 8 years play this game. The content of this ad is not appropriate for this age.

THE ADVERTISER'S RESPONSE



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

Choices is an interactive fiction mobile game. It's a mobile Choose Your Own Adventure, with augmented graphics and music. In the same way as our books, our ads reflect our diverse readership, with characters of different ethnicities, sexualities, and backgrounds.

In reference to the complaint under Section 2.4 regarding sex, sexuality, and nudity:

The ad in question is designed within the Romance and Drama genres without employing overt sexual appeal. It does not depict nudity; the ad features fully clothed and covered people. The ad also does not include explicit language, suggestive poses, or lewd conduct.

Pixelberry respects the personal views of the complainant and considers that the Advertisement complies with Code.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement features content inappropriate for children to view.

The Panel viewed the advertisement and noted the advertiser's response.

The Panel noted this app advertisement for an app is animated and features an pregnant woman seeing a bra on the floor and going into the bedroom to see a man in a singlet in bed with a woman in a black shirt.

The Panel 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 Panel noted the complainant's concern that the advertisement appeared in a game with a rating of 4+.

The Panel considered the concept of the game that the advertisement appeared in is similar to tetris and that although the game was rated 4+, there is no indication that the audience of the game is primarily children.



The Panel considered that there is no nudity in the advertisement, and that the depiction of a bra on the floor is not inappropriate for a broad audience. The Panel noted that the on screen text does reference adultery by the phrase “You’re cheating on me!?” but considered that this reference is not explicit.

The Panel considered the text that followed which presented two options, “Kick them out!” and “Join them!”. The Panel noted that this is a depiction of an adult theme, however considered that it is on screen for a brief time and that children are unlikely to understand the reference as being related to sex.

The Panel considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.

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

