



**ADVERTISING
STANDARDS
BOARD**

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Case Report

1	Case Number	0027/15
2	Advertiser	Matee Turkish Restaurant
3	Product	Food / Beverages
4	Type of Advertisement / media	Print
5	Date of Determination	11/02/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The image is a photograph of a Turkish B movie actress from the late 60's lying on her side while on the phone. The text includes: "Hot Turkish Delivered" and the phone number for the restaurant.

THE COMPLAINT

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

The flyer advertises 'Hot Turkish Delivered' with a photo of a semi-nude woman reclining on one elbow talking on the phone. I feel that it is sexist and degrading to women.

THE ADVERTISER'S RESPONSE

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

Please find attached my flyer for my business that the complaint refers to. On the back of the flyer is my take-away menu. I have not attached the back section.

The image is a photograph of a Turkish B movie actress from the late 60's. My whole aim was to make it look like a postcard and be slightly tongue in cheek so that it did not get thrown out like most menu's do.

Especially in the Newtown area where there are thousands of restaurants and takeaways, residents receive endless amounts of brochures and advertising each week.

I agree I wanted to make a statement that says Matee is different and tie the brand/image. I think I was also catering to my market who are open minded, professional people who love the idea that Newtown is alternate and an accepting community.

I feel Matee represents that idea and is very much a contributor to the quirky alternative Newtown community.

Also why should i be restricted to express my business to traditional images seen at other Turkish outlets such as an evil eye, turkish rugs, combo deals, and a big picture of a mosque in Istanbul? They are very much western stereotypes of the orient. To me those traditional images doesn't represent me, or Turkish food or Matee.

Instead at Matee I have many vintage turkish film/art posters from the 60's and 70's. Many people love taking photographs in front of my main turkish film collage, please refer to attachment 2 of an example of patrons taking photographs in front of the collage.

My menu looks like a vintage magazine but reads like a screenplay. So I didn't want to go with the traditional style of brochures with images of just food.

Matee means aunty in Kurdish. We emigrated to australia from Turkey,from a Kurdish background our family ties were strong especially with my beautiful aunties who loved us, looked after us, and who would feed us the most amazing soul food. They were traditional but also very accepting of the new and accepting of us. They would make us watch 60's and 70's turkish movies with these beautiful turkish actresses.

Yes i used a rather alluring photograph of a sexy woman on my brochure. It is very tongue in cheek- yes i deliver hot turkish, but as a woman I myself would not degrade woman, and do not feel that my brochure does. Am i the only business in Australia that has used a sexy or attractive woman to sell a product? I see many images far worse than mine selling cars, tyres, insurance, beer etc

I have never received any complaints from my customers about the brochure.

I have a very strong following in Newtown and have worked very hard to survive as a business in one of the hardest strips in Sydney during one of the most difficult economic times for retail businesses. There are thousands of business on king street to compete with.

Sometimes I walk down King street and it seems like business close down by the time I walk back up, with over 9000 thousand dollars rent a month plus outgoings, I don't think I should be restricted in how I promote or represent my business.

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 an image of a woman in a sexually suggestive position with text that is inappropriate and degrading to women.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted that this print advertisement is for a restaurant offering home delivery and features a woman lying in a semi-reclined position holding a phone. The text reads “Hot Turkish Delivered.”

The Board noted the use of a female model to sell various products is not uncommon and that the inclusion of the image of the woman in combination with the text “Hot Turkish delivered” does add an element of sex appeal to the promotion. The Board noted however that the advertisement is for a Turkish Restaurant offering home delivery and the image is in the style of a Turkish movie actress.

The Board noted that woman is seen from her head down to her mid-thigh. The Board noted that the woman is covered by her dress but that her thigh is fully exposed as her dress is falling away from her body.

The Board noted that it is not unreasonable for an advertiser to attempt to draw the attention of the audience to their product with the use of attractive models and in this case the image is in line with the restaurant’s cultural niche. The Board considered that the image did not amount to a depiction that discriminates against or vilifies a section of the community on account of gender and did not breach Section 2.1 of the Code.

The Board then 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 reference to “Hot Turkish delivered” could be a mild sexual innuendo suggesting that a Turkish woman will be delivered with the meal order. The Board agreed however that the additional information about the type of food available and the phone number made it evident that it was not a promotion for a sex service and that it is a restaurant promoting home delivery.

The Board noted that the woman was positioned in a way that was mildly sexualised but that there was no inappropriate nudity.

The Board noted that the likely audience to be viewing the menu in detail would be adults and that the type of image would not attract the attention of children.

The Board considered that the advertisement did not depict any inappropriate nudity or sexual references and did not amount to a depiction that was inappropriate for the relevant broad audience.

Based on the above, 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.

