



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0037/13</b>
<b>2</b>	<b>Advertiser</b>	<b>Afters</b>
<b>3</b>	<b>Product</b>	<b>Sex Industry</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>13/02/2013</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

There are three versions of the advertisement. Each features a static image of a man and woman smiling next to an image of the product, Afters, along with the text, "Afters. For intimate comforts. [www.afters.net.au](http://www.afters.net.au)".

Each version then features one of the following voiceovers: "To be comfortable and dry after intimacy, visit [afters dot net dot au](http://afters.net.au)", "For a better way to stay in the moment visit [afters dot net dot au](http://afters.net.au)" or "Afters - The discreet, feminine product range empowering the clever woman in you".

### THE COMPLAINT

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

*Totally inappropriate for time slot during the day. Should only be shown after 9:30pm if it has to be.*

### THE ADVERTISER'S RESPONSE

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

*With regards to a response; I just hope that the advertisement has been appropriately advertised and is within the guidelines it is supposed to be in. I too support these guidelines and have deliberately worked hard to have these advertisements displayed in an appropriate and respectful manner. I am quite sure that southern cross ten checked the ratings and the time-slots that were allowed.*

## **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 sexual material inappropriate for broadcast prior to 9.30pm.

The Board viewed 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 advertiser’s response that the advertisement complied with Commercial Television Industry Code of Practice and the advertisement was classified with a “PG” rating and only appears in the appropriate timeslots for the rating given.

The Board noted that this advertisement is for a sex related product – post intimacy comfort liners - and that the imagery shown on screen of the product and of a man and woman smiling is only mildly sexually suggestive and not explicit.

The Board noted the complainant’s concerns that the advertisement should only be shown after 9.30pm and not during the day and considered that the relatively mild content of the advertisement is not inappropriate for PG audiences. The Board noted that whilst some members of the community would prefer for this product to not be advertised, in the Board’s view the advertisement is mild and does treat sex, sexuality and nudity with sensitivity to the relevant PG 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.