



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0074/14
2	Advertiser	Aldi Australia
3	Product	Food and Beverages
4	Type of Advertisement / media	Poster
5	Date of Determination	26/03/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The 'Poster Box Panel', which appears at the entrance to all ALDI stores, shows five faces each with an open mouth covered by a stylised speech bubble featuring the campaign tagline 'Prices You'll Love Talking About'.

THE COMPLAINT

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

The image resembles a sex doll with its mouth open. These dolls are used for sexual activities that would be inappropriate in public places. It is very disturbing to see an image like this displayed in public. It gives the connotation that Aldi is advertising sex dolls or activities that relate to sexual activities with a head with an open mouth.

THE ADVERTISER'S RESPONSE

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

The 'Poster Box Panel' (PBP) outlined in the complaint was created as part of ALDI's 'Prices You'll Love Talking About' campaign that launched in July 2013. In no way were the open mouths intended to be a reference to either sex dolls or a sex act, but in fact the mouths were open in reference to speaking, as ALDI's prices are so low, you can't resist the urge to

tell others. This is directly referred to on the PBP itself, with the campaign tagline 'Prices You'll Love Talking About' appearing five times in stylised speech bubbles over the speaking mouths of the people depicted. As the PBP is in no way related to sex or sexuality, we are not in breach of section 2.2 or 2.4 of the AANA Advertiser Code of Ethics. The PBP appears at the entrance to all of our 340+ stores on the Eastern Seaboard and in the eight months since launch, it would have been seen by over a million ALDI shoppers and this is the only complaint we have received of this nature. Because of this, it can be safely deduced that the overwhelming majority of customers correctly interpret the open mouths featured on the PBP to be a reference to speaking, linked directly to the 'Prices You'll Love Talking About' campaign tagline. Furthermore, it would make no commercial sense for ALDI to link any advertisement to sex dolls or a sex act, as a) we do not sell any products of this nature; and b) the majority of customers, staff and the community would find this to be offensive.

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 images that are inappropriate and of a sexual nature.

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 that the advertisement is a 'Poster Box Panel', which appears at the entrance to all ALDI stores. The image shows five faces each with an open mouth covered by a speech bubble featuring the campaign tagline 'Prices You'll Love Talking About'.

The Board noted that the image does not include naked images of people and does not include text of a sexual nature. The Board noted that the issue raised involves an interpretation of the advertisement that is unlikely to be shared by the broader community.

Based on the above the Board considered that the advertisement did treat 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.