



Case Report

1	Case Number	0077/12
2	Advertiser	Woolworths Supermarkets
3	Product	Clothing
4	Type of Advertisement / media	Mail
5	Date of Determination	14/03/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

Catalogue includes an image of a male model wearing a T-shirt with the picture of a dog mounting a man's leg. The text reads "Mambo accept no substitute"

THE COMPLAINT

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

The catalogue shows a man wearing a Mambo T-Shirt with the picture of a dog humping a human leg. Presumably a man. At the bottom of the picture is a caption stating "Mambo accept no substitute".

To me it appears clearly that the dog is doing as regarded by various sources on this matter a "sexual activity" or in most simply terms an animal trying to have sex with a human.(bestiality)

The T-shirt I presume will be in an area of Big W that is not cordoned off from people under the age of 18 and the catalogue does not state that some people might find this image distasteful.

I find the T-shirt distasteful and to be in a shop where families of all ages can go is disgraceful. I also can't understand the caption or its many meanings implications which also adds to the offensiveness of the shirt.

THE ADVERTISER'S RESPONSE

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

BigW takes its advertising obligations very seriously. It is BigW's submission that the complaint should be dismissed and no further action taken in the matter for the reasons expressed below.

The Mambo T-shirt range and prints, including the print the subject of the complaint, is generally available across a number of retailers in Mambo's distribution network. Mambo's mantra, as explained to BigW by the vendor, is to poke fun at the unique relationship between man and his best friend (the dog).

The Mambo range has, for many years, been seen as appealing to young people for its "edgy", quirky and humorous prints. BigW has been informed by the vendor that the print has been in the market at different times for nearly 20 years without complaint.

On no basis does BigW agree that either the Code or acceptable social standards have been breached or compromised by reason of the advertising of this Mambo print or its stocking in stores.

BigW appreciates the ASB's careful consideration of a complaint and will accept BigW's submission that this complaint should be dismissed.

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 depicts a dog humping a human leg which amounts to a portrayal of sexual activity which is inappropriate.

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 that the product itself – the Mambo t-shirt – is a product which is legally allowed to be advertised and to be sold and considered that it was reasonable for Woolworths to use images of its merchandise in its print publications.

The Board considered that the image is very mild and that the dog's sexual organs are not visible and the image is not sexualised. In the Board's view most members of the community would consider this advertisement to not be offensive or inappropriate and to not portray sex, sexuality or nudity in a manner which is inconsistent with viewing by a broad audience.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it 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.