



Case Report

1	Case Number	0078/17
2	Advertiser	John Cootes Furniture
3	Product	Retail
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	22/02/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

A woman is seen holding an Australian flag at the beginning of the advertisement. She is wearing a white t-shirt. The advertisement then shows various furniture items and their sale prices.

THE COMPLAINT

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

A woman is holding a Australian flag above her head and she is wearing a white t - shirt which is wet/damp . She has no bra on and her nipples can be easily seen.

THE ADVERTISER'S RESPONSE

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

Upon viewing the actual TV ad, you will see that the T-shirt the woman is wearing is billowing in the wind. The t-shirt is very visibly dry and is neither wet nor damp. You will also see that she is certainly wearing swimwear under the t-shirt and that her nipples definitely cannot be seen. The swimwear top is white with a printed floral pattern. John Cootes Furniture is a proud NSW based business of strong family orientated origins providing good value, quality furniture to people of NSW and it was never our intention to

draw attention of a lewd or offensive nature in these TV ads and furthermore, we don't believe the footage in the TV ads is in breach of any Sections of the AANA Advertiser Code of Ethics.

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 shows an inappropriate image of a woman with her nipples visible through her top.

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 this internet advertisement features a woman holding an Australian Flag above her head that is blowing in the wind. She is wearing a white t-shirt and smiling to the camera. Various furniture items and prices are then seen.

The Board noted the complainant’s concern that the woman’s t-shirt is wet and that her nipples are easily seen through her shirt.

The Board noted that the t-shirt the woman is wearing is of a thin material and noted that there are colours visible through the top. The Board noted that the top is not clearly wet and that the colours showing through the top are that of a bikini top or swimwear and not her nipples.

The Board considered that in this case the complainant has viewed the advertisement in error and that the woman’s nipples are not seen.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and 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.

