



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0089/18
2	Advertiser	Sexyland
3	Product	Sex Industry
4	Type of Advertisement / media	Radio
5	Date of Determination	07/03/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement features a woman stating 'I love sexy'. Another woman then describes deals available from Sexyland for Valentines Day.

THE COMPLAINT

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

It was during high peak listening time for under 18 s. Although many products were non specific use many questions could arise leading to adult content

THE ADVERTISER'S RESPONSE

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

Our advert is very discreet and does not mention anything offensive.

The advert does not breach any of the codes as listed below.

2.1 - Discrimination or vilification · none



2.2 - Exploitative and degrading . no

2.3 – Violence . no

2.4 - Sex, sexuality and nudity · none

2.5 – Language ·

2.6 - Health and Safety .

2.7 - Distinguishable as advertising

THE DETERMINATION

The Ad Standards Community Panel (the “Panel”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Panel noted the complainants’ concern that the advertisement is overly sexualised and inappropriate for a broad audience.

The Panel reviewed the advertisement and noted the advertiser’s response.

The Panel noted that some people may prefer not to have sex products advertised but noted that such businesses are permitted to advertise provided the content of the advertisement complies with the Code.

The Panel 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 Panel considered that this advertisement was aired at 8am on the radio and that it was likely the audience would be broad and would include children

The Panel noted this radio advertisement featured a woman stating ‘I love sexy’ and then another woman stating ‘this Valentine’s Day get sexy with Australia’s largest array of sexy items from Sexyland’ and continues to list products in a range of categories such as naughty (blindfolds and fluffy cuffs), sweet (chocolate body paints) and hot (DVDs, costumes and adult toys). The advertisement concludes with the Sexyland ‘take me now’ jingle.

The Panel considered it had previously dismissed complaints about radio advertisements for this advertiser in cases 0290/13, 0397/16 and 0503/17.

The Panel considered that the current advertisement mentions ‘Sexyland’, ‘sexy items’ and ‘adult toys’. The Panel considered that while it is a reference to a sex related shop, the advertisement did not use explicit language, was playful and overall treated the topic of the store and products in a relatively mild and discreet manner.

The Panel considered that consistent with previous determinations the Sexyland jingle



was not overly sexualised and was not likely to attract the attention of children.

The Panel considered that the advertisement was not strongly sexualised and that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.