



Case Report

1	Case Number	0097/11
2	Advertiser	Proctor&Gamble - Dolce & Gabbana
3	Product	Toiletries
4	Type of Advertisement / media	TV
5	Date of Determination	13/04/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

A man in white speedos and a woman in a white bikini are shown relaxing next to the sea. They are then shown swimming and climbing up some steps on to dry land where they embrace. As they kiss, the man starts to undo the bikini top of the woman and then a man's voice calls "cut" and we see a clapper board with Dolce and Gabbana written on it. The voice over then says, "Dolce and Gabbana. Light Blue."

THE COMPLAINT

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

I would like to make a complaint about two of the ads that were shown during the "family show " My Kitchen Rules" Our family does not regularly view evening TV together as in my opinion there is too much inappropriate content for my children who are 6 and 8 years of age. Tonight though we made an exception as we had friends who were part of the street party in this episode.

I have no complaint about the show. It was very family friendly. Unfortunately I was disappointed and extremely annoyed to view two ads that were very adult in their content. The first ad was a Dolce and Gabbana advertisement in which a couple is passionately kissing. We then see the guy undoing the girl's bikini top from behind. Does the management of Channel 7 really believe that this .is a suitable image for young children to view? We have a major problem in our culture with the sexualisation of children and I believe that exposure to adult themes via TV so early in life is very much a part of this issue. It is Channel Seven's

responsibility to choose these ads discerningly when they are shown during a time slot when it is very obvious children will be watching. Is money the only thing that matters these days?

THE ADVERTISER'S RESPONSE

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

The objective of our advertising is to attract people to the brand, so we are disappointed to have received a complaint.

We believe that our airing was in keeping with the CAD guidelines.

The ad is P rated and below are the guidelines

PG – Parental Guidance "P"

Definition: Parental Guidance Recommended

May be broadcast during the following hours, except during P and C programs or adjacent to P or C periods:

- Weekdays 8.30am – 4.00pm*
- Weekdays 7.00pm – 6.00am*
- Weekends 10.00am – 6.00am*

Exercise care when placing in cartoon and other child – appeal programs.

Digital Multi-Channels

In addition, may be broadcast during the following hours:

- Weekdays 6.00am – 8.30am*
- Weekdays 4.00pm – 7.00pm*
- Weekends 6.00am – 10.00am*

Product Description: Commercials which comply with the PG classification criteria in Appendix 4, Section 3 of the Code of Practice and which contain careful presentations of adult themes or concepts which are mild in impact and remain suitable for children to watch with supervision.

*** Feedback from NET7 advised us that the activity ran in a PG rated programme and are within the guidelines set by Free TV Australia.*

Please do not hesitate to contact me if I can be of further assistance

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 sexualised and is inappropriate for the relevant timezone.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone”.

The Board noted that the advertisement is classified P and appeared in programs that are PG rated, which are considered suitable for children to watch with supervision. The Board noted that it is reasonable for an advertisement to depict the man and women in swimwear as they are swimming, and that the close ups on both the man and woman are not inappropriate.

The Board noted that the advertisement depicts a couple embracing and kissing and the man is seen to pull the strings of the woman's bikini top to unfasten it. The Board considered that this depiction of a couple kissing and embracing was sexually suggestive but that the scene is cut and there is nothing more explicit. The Board considered that the couple kissing was about one third of the advertisement and that the overall impression was sexually suggestive but was not strongly sexualised as there was no consequence depicted of the woman's top being undone. The Board considered that a PG CAD rating is appropriate for this advertisement as it does depicted sexualised behaviour but that the behaviour fitted appropriately within the PG classification. The Board considered that the advertisement treated sex with sensitivity to the relevant PG audience.

The Board considered that most members of the community would not find the imagery offensive, that the advertisement treated sex, sexuality and nudity with sensitivity to the relevant audience and that it did not breach section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.