



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0116/14
2	Advertiser	Pacific Brands Holdings Pty Ltd
3	Product	Lingerie
4	Type of Advertisement / media	Pay TV
5	Date of Determination	23/04/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - nudity
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

The commercial is situated in an inner-city park with a 30'ish girl and guy having a conversation however due to the fact that the guy has inappropriate underwear on, all she can seem to see is his undies showing.

THE COMPLAINT

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

I just think it is un-necessary to talk about men's backsides and show them especially at that time of day when young children are around. I think it is disgusting for most adults.

THE ADVERTISER'S RESPONSE

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

The commercial is targeting young men and the media buy focussed on this target audience and skewed toward them. The commercial is intended to be light hearted and humorous, and uses the term "butt crack" which is part of the vernacular and in our view, not inappropriate

language. The aim of the commercial is to educate young males to be mindful of their underwear and purchase underwear that protects themselves from themselves meaning they won't suffer from revealing their butt crack.

In our view the commercial does not promote nudity nor any connotations of a sexual nature, hence the rating provided by CAD both at script stage and final approval.

Bonds is a light-hearted brand which does not intend to upset any members of the general public. Bonds intent is to be real, natural and not offensive and whilst this commercial specifically targets young males, the intention is never to offend the broader Australian public.

Please let us know if you would like any further information.

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 man using the phrase “butt-crack” repeatedly whilst exposing his own backside and that this is disgusting and inappropriate for children to see.

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 advertisement features a man bending down whilst talking to a woman and that due to his inappropriate underwear we can see the top of his bottom.

The Board noted it had previously dismissed a television advertisement in which a removalist bent down and accidentally exposed the top of his bottom (0038/13).

The Board noted that in the current advertisement the exposure of the man’s bottom is also depicted as an example of bad dressing and considered that in the context of advertising underwear that fits properly this depiction of a man’s bottom is not inappropriate.

The Board noted the complainant’s concerns that it is disgusting to show the man’s bottom and considered that most reasonable members of the community would not find the exposure of a small part of a man’s bottom in the humorous scenario presented to be offensive or sexualised.

The Board noted that the advertisement had been rated ‘PG’ by CAD and considered that the level of nudity is relatively mild and not inappropriate for a broad audience which would include children.

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.

The Board considered whether the advertisement was in breach of Section 2.5 of the Code.

Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided”.

The Board noted the complainant’s concerns over the repeated use of the phrase, “butt-crack”.

The Board noted that the intent of the advertisement is to highlight that wearing incorrectly fitting underwear can lead to accidental exposure of your bottom when you bend down and considered that the references to ‘butt-crack’ are intended to further reinforce this message.

The Board noted that ‘butt-crack’ is part of the common Australian vernacular and in the context used which depicts the consequences of poor fitting underwear, considered that most members of the community would not find it to be offensive or inappropriate language.

The Board considered that the advertisement did not use language which was inappropriate, strong or obscene.

The Board determined that the advertisement did not breach Section 2.5 of the Code.

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