



**ADVERTISING
STANDARDS
BUREAU**

Level 2, 97 Northbourne Avenue, Turner ACT 2612
Ph (02) 6173 1500 | Fax (02) 6262 9833
www.adstandards.com.au
ACN 084 452 666

Case Report

1	Case Number	0132/14
2	Advertiser	Mayo Hardware
3	Product	House Goods Services
4	Type of Advertisement / media	TV
5	Date of Determination	23/04/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

A woman is painting her nails in her bathroom when her door bell rings. As she rushes to answer the door her dog bites the towel which is wrapped around her and it falls off. The woman sees a parcel delivery notification on her doormat so opens her front door and rushes out in a bid to catch the post van before it drives away with her parcel. It is clear that she is naked but her nudity is hidden by a hedge.

THE COMPLAINT

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

*It is unnecessary and sleezy. No woman answers the door naked! It has to go asap.
Offensive to women.*

THE ADVERTISER'S RESPONSE

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

- *The TVC was developed to launch a new range of Parcel Delivery Boxes which addresses the need to facilitate the growing demand of securely receiving parcels at home*
- *The campaign ran for 2 weeks commencing March 23rd (nationally on Channel Nine across news and selected lifestyle programs)*
- *The commercial plays on the frustration consumers have when missing a parcel delivered by a courier (target market being the female online shopper)*
- *We believe the concept selected captures the most frustrating scenario by missing a courier even while at home.*
- *The storyline focuses on the 'frantic' rush to get to the door and uses humour by placing obstacles in the way, making it challenging for the girl to get to the door in time*
- *The commercial is relevant to the product, the missed delivery has a consequence as the dress is needed for an event and cinematography is shot in a very tasteful way*
- *When reviewing initial concepts, a poll was conducted amongst females resulting in an overwhelming preference to proceed with this concept.*
- *The final creative produced was also polled and all females believed it was funny, many could relate to it and when prompted, all confirmed it wasn't offensive or demeaning to females*
- *CAD approval was gained with appropriate media placement*

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 complainants' concern that the advertisement depicts a naked woman which is unnecessary and offensive.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.'

The Board noted that the advertisement shows a woman answering the door naked after her dog tugs at her towel as she rushes to catch the post.

The Board noted the complainants' concerns that it is offensive to use a woman in this manner. The Board noted the advertiser's response that the target market for their advertisement is the female online shopper and considered that the use of the woman in the advertisement is not of itself discriminatory or vilifying to women.

The Board considered that in this instance the advertisement depicts a scenario of a woman at home getting interrupted as a familiar relatable experience with an unlikely but humorous end. The Board considered that the woman is not depicted in a manner which discriminates or vilifies a section of the community on account of gender.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

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 when the dog pulls the towel from the woman she appears to be completely naked underneath. The Board noted that we do not actually see any of her private areas and considered that the camera angles and the use of props such as a hedge hide the woman's nudity. The Board noted that the woman is in a hurry to get a parcel and considered that the depiction of her opening the door after her towel falls off is suggestive of the urgency she has to catch the postie before he drives off rather than a use of gratuitous nudity.

The Board noted the advertisement had been rated 'W' by CAD and considered that the level of nudity is not inappropriate for the relevant 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.

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