



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0141/11</b>
<b>2</b>	<b>Advertiser</b>	<b>Furniture Circus</b>
<b>3</b>	<b>Product</b>	<b>Retail</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>27/04/2011</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

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

### DESCRIPTION OF THE ADVERTISEMENT

The commercial in question is a 30 second TVC advertising 5 furniture items. The commercial advertises our 18th Birthday sale. It includes images of the owner and staff and standing in front of, or beside the furniture items holding price signs in front of their genitals. They appear to be naked. The commercial is based on the concept of the staff being in their "birthday suits" for the Birthday sale.

### THE COMPLAINT

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

- 1. Why naked men to advertise furniture.*
- 2. Why have naked men with disgusting bodies*
- 3. Why was this ad allowed to be shown at all*

### THE ADVERTISER'S RESPONSE

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

*The commercial is a light hearted way to advertise my Birthday Sale. The commercial was never intended to offend. You will see no more nudity in this commercial than you'd see any day on any beach in Australia. The content of this commercial is in fact much less offensive than the content of most of the TV programs it was scheduled to appear in.*

## **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 complainant’s concern that the advertisement features naked men.

The Board reviewed 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 the advertisement includes some apparently naked man, with their genital areas carefully obscured at all times. The Board considered that the nudity is not sexually suggestive and is clearly intended to be humorous.

The Board considered that this advertisement was intended to be cheeky and humorous and that most members of the community would find it either funny or silly and would not consider that the nudity was sexualised.

The Board determined that the advertisement did treat 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.