



ADVERTISING  
STANDARDS  
BUREAU

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## Case Report

1	Case Number	0141/14
2	Advertiser	St. George Scrap Metal
3	Product	Hardware/Machinery
4	Type of Advertisement / media	Billboard
5	Date of Determination	14/05/2014
6	DETERMINATION	Upheld - Modified or Discontinued

### ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

### DESCRIPTION OF THE ADVERTISEMENT

Image of a woman in a bikini kneeling on a beach. The text next to her reads, "St George Metal Recovery. They are definitely not the largest. But I wouldn't sell my stuff to anyone else. [www.2scrap.com.au](http://www.2scrap.com.au) 02 9567 3743".

### THE COMPLAINT

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

*I am offended by this advertisement because it is sexist to include a scantily-clad woman on a billboard advertising a service which has no relation whatsoever to the image used.*

*The billboard is a blatant display of sexual objectification with a scantily clad, heavily photo shopped, blonde woman in a bikini posing suggestively with the tagline: "They are definitely not the largest but I wouldn't sell my stuff to anyone else".*

*What in the world does that have to do with scrap metal???*  
*It is sexist, predatory and offensive.*

### THE ADVERTISER'S RESPONSE

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

*Please find below a few points that we would like to make in response to the single complaint against our advertising media (billboard) since it was first erected earlier this year.*

*We believe the first comment in the complaint regarding the 'sexual objectification...of a blonde woman in a bikini' to be discriminating against blonde beautiful women in general as the commentator suggests that she is a sexual object.*

*In regards to the comment of being heavily photo shopped, we also believe this to be a discriminating comment aimed at any beautiful woman who has ever had a half decent photo taken of them.*

*In regards to the model in the billboard wearing a bikini, the scrap yard is less than 1 km from the beach where everyday women walk around in bikini's. In Australia it is a very common sight to see beautiful blonde women in a bikini.*

*The meaning of the slogan: We're not the largest scrap yard and the lady on the advert wouldn't sell her scrap (stuff) to anyone else. Our business depends on people bringing their scrap metal to our location. We're a small, local and family-run business that prides itself on understanding that customer service and giving the customer a personal touch rather than treating them as a number, as you would be treated in a larger-sized scrap yard that tends not to take the smaller stuff (scrap).*

*The billboard we have erected has had a major impact on our business in terms of new customers; low and behold some resemble the model in the media.*

*We highly dispute that the advert is sexist, predatory and offensive. We have consulted with some of our clients. Please see here below a quote from one of our clients regarding the advert:*

*'I have seen this billboard and as a young blonde haired girl myself I don't find this billboard sexist, predatory or offensive.' A client who has sold scrap metal to us in the past month, attracted by the billboard in question'*

*We sincerely hope that our response is sufficed to your requirements and look forward to resolving this matter promptly.*

## **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 an image of a woman in a manner which is sexist, objectifying 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 the advertisement features an image of a woman kneeling on a beach in a bikini along with text promoting the advertiser's scrap metal business and the catch phrase "they are definitely not the largest."

The Board noted that some members of the community would prefer that women were not used to promote products in this manner but considered that consistent with previous determinations (0404/13, 0104/14) in this instance a depiction of a woman in a bikini is not of itself a depiction which discriminates against or vilifies women.

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 2.2 of the Code. Section 2.2 of the Code states: "Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people."

The Board noted that in order to breach this Section of the Code the images would need to be considered both exploitative and degrading.

The Board noted that there is no relationship in this advertisement between a woman in a bikini and the product or service being advertised. The Board also noted that the advertisement comprises the image of a woman posed in a bikini, and that the text accompanying the image states: "they are definitely not the largest, but I wouldn't sell my stuff to anyone else." The Board agreed that although the text is relevant to a company which buys material, a likely interpretation viewers would make of this billboard is that the text is a reference to the woman's bust size not being particularly large and also that the woman sells herself. The Board considered that the text, accompanying the image of a woman posing in a bikini which has no relevance to the product, amounts to a depiction that makes use of the woman's sexual appeal in a manner that is both exploitative and degrading to women. The Board determined that the advertisement did breach Section 2.2 of the Code.

The Board then 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 it had previously upheld an advertisement for Aussie Boat Loans ref: 517/10 that included an image of a woman in a bikini on a beach but considered that in relation to sex, sexuality and nudity: "the woman is not naked though only her torso and legs are shown - there is no image of her face or head. The woman is depicted in a posed position and the image is accompanied by mildly sexually suggestive text 'Boats loans should be this good.....' The Board noted that the advertisement is on a billboard and is therefore available for viewing by a broad audience. Although mildly sexualized the Board considered that the advertisement did not treat sex, sexuality or nudity inappropriately considering the broad

audience to which the advertisement is available.”

Consistent with the decision above, the Board noted that the woman’s bikini fully covers her private areas and considered that the pose of the woman is not overtly sexualised. The Board also considered that the reference to "selling" is an implication of the woman selling herself but that this is relatively subtle for a younger audience and those who may not understand the double entendre.

The Board noted that the image is on a billboard which means it would likely be seen by children however the Board considered that overall the image is not strongly sexualised, even with the accompanying text, to the extent of being inappropriate for the relevant audience and did not breach Section 2.4 of the Code.

Finding that the advertisement did breach section 2.2 of the Code, the Board upheld the complaint.

### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

We have decided to make minor changes to the text of the billboard so that it reads:  
“They are definitely not the largest (scrap yard) But I wouldn't sell my (scrap) anywhere else”  
The words in brackets will be attached in addition or over existing words. These changes will be made within 28 days.

The Bureau is continuing to work with the advertiser to speed up the modification process.