



Case Report

1	Case Number	0182/11
2	Advertiser	Wilson Everard Pty Ltd
3	Product	Clothing
4	Type of Advertisement / media	TV
5	Date of Determination	08/06/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.6 - Health and Safety within prevailing Community Standards
2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

Angelina: The screen appears to be covered by fabric with the words, "Clio sealed section. Sneak peek" on screen. The zipper is pulled down to part the fabric and we see a girl laying on a couch wearing nude tights. She rolls over and places the packaging of the tights over her crotch.

Paris: The screen appears to be covered in fabric with the words, "Clio sealed section. Sneak peek" on screen. The zipper is pulled down to part the fabric and we see a girl's legs encased in opaque tights.

In both versions of the advertisement a female voiceover describes the panyhose and asks, "When will you be seen in Clio?".

THE COMPLAINT

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

I am offended by the dangerously thin model used to model these stockings. This type of imagery encourages eating disorders in our youth & portrays this type of body as not only something desirable but also that it is a normal body type to aspire to.

I am offended by the dangerously thin model used to model these stockings. This type of imagery encourages eating disorders in our youth and portrays this type of body as not only something desirable but also that it is a normal body type to aspire to.

The advertisement shows a view of a woman's bottom practically up the middle of her legs. It then shows the front view of the naked half woman covering the pubic area with the chocolate. I am offended by the pictures because of the type of pictures they are and the fact that I don't want to be confronted with these pictures while I am watching a program I enjoy. I choose not to buy magazines that would include such sexually provocative pictures and I don't want them shoved in my face on TV either.

THE ADVERTISER'S RESPONSE

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

Can we say at the outset that this agency and our client both consider ourselves to be responsible advertisers who seek to work within the established codes, guidelines and practices of all Advertising Regulatory bodies.

Our client AMBRA Corporation has as vested interest in ensuring they always portray women positively in their advertising, given women are their customers and any negative portrayal of women would be met with an immediate sales backlash.

We have produced and aired two TV commercials for our client AMBRA Corporation promoting the new Clio stockings. As the first complaint does not specify which commercial they are referring to, we will have to answer the complaint in a general sense.

This complaint claims we have used a "dangerous thin" model in our commercial and then seeks to link this to "encouraging eating disorders".

The model in question was chosen for her long slender legs in order to show the product in its best light. All we see in the commercial are her legs and lower body.

How the complainant could make a guess of the weight of the model in question, based on only seeing half her body is puzzling.

The perception of the weight of an individual, when you are only seeing their legs, can be terribly misleading.

According to information supplied to the agency, the model in question has a BMI of approximately 19.00. According to the Federal Government's own Department of Health & Ageing website, this puts her BMI in the "Normal range" which means she has a "Healthy Weight".

We therefore refute the claim that she is "dangerously thin" which is a purely subjective statement based on the complainant's own personal opinions and not a statement of fact. As an agency and client, we are very aware of the issues surrounding body perception in our community and wholeheartedly refute the contention that this commercial does anything to encourage "eating disorders".

The only thing the commercial encourages is for woman to look their best wearing our client's stockings.

The second complaint does specify which commercial the person is complaining about. The thrust of the complaint seems to be that the viewer thought the commercial was "sexually provocative".

This campaign was developed because research from the client highlighted the fact that women like to wear stockings which make them feel confident and sexy. The creative playfully harks back to a famous women's magazine sealed section and is therefore playful, teasing and sexy.

We do not deny that the commercial is designed to represent the product in a positive light, portraying this confidence and sensuality in the woman wearing the stockings. Given the product are stockings designed to be worn on women's legs, the only way to portray the product is by showing them being worn. How the product looks is also important to women to ensure there are no unsightly seams that can be seen through clothing. This is why it is important to show the stockings all the way to the waist. Contrary to the claim made, the front view mentioned does not actually show the woman covering herself with a pack of chocolates (which could be seen as provocative) but in fact she is using a pack of the stockings. There is no sexual activity of any kind implied or suggested in the commercial. It is virtually impossible to portray how stockings will look when being worn, without showing women's legs. Some people in the community would find any portrayal of a women's legs as "sexual" however to apply this narrow viewpoint to the wider community at large, would mean a return to Victorian era prudishness. The commercial referred was approved by CAD and given an M rating. This allows for it to be shown after 8.30pm at night, which is the only timezone this commercial has been aired. We therefore refute the claim that this commercial is "sexually provocative", and contend rather that it is playful and sexy and that the viewer has these two issues confused. On this basis we respectfully request the board to reject both complaints as above.

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' concerns that the advertisement features a dangerously thin female model, and is sexually provocative.

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

The Board noted there are two advertisements for this product and that the complainants' descriptions do not make it clear which one they are referring to. The Board noted that both advertisements are similar in that they show a female model wearing Clio stockings and covering her pubic region with the packaging for the stockings.

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 product is stockings and so it is reasonable to expect the advertiser to use their product in the advertisement. The Board noted that the voiceover describes the stockings as sexy and that the camera focuses on a close up of the model's legs. The Board considered that the advertisement as mildly sexually suggestive and noted that the advertisement has been rated M by CAD. The Board considered that the content of the advertisement was appropriate for the relevant audience of M rated material.

The Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.3 of the Code.

The Board considered whether the advertisement was in breach of Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board noted the complainants’ concerns that the model used is dangerously thin and that the advertisement is encouraging females to aspire to this type of body image.

The Board noted that the model does have slim legs and noted the advertiser’s response that the model used in the advertisement has a healthy BMI which falls within the Federal Government’s Department of Health and Aging ‘normal range’. The Board considered that most members of the community recognise that advertisers prefer to use slimmer models to showcase products such as stockings and noted that the advertiser does not suggest that all women should look like the model. The Board considered that the woman depicted is slim but does not appear unhealthily slim.

Based on the above, the Board determined that the advertisement did not depict material contrary to prevailing community standards on health and safety and did not breach Section 2.6 of the Code.

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