



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0222/11</b>
<b>2</b>	<b>Advertiser</b>	<b>EMAP Australia Pty Ltd</b>
<b>3</b>	<b>Product</b>	<b>Media</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>13/07/2011</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

There are two versions of the advertisement for issue number 275 of Zoo magazine. In the first, rated PG, a lady wearing a low cut red top takes money from a young man wearing a hooded top and then serves him and his friend an enormous kebab, and the friend laughs and says, "that's Zoo!" A male voice over then describes the contents of the latest edition of Zoo magazine including "hottest babes from TV's Amazing Race" and "when sexy girls go planking".

The second version, rated MA, features a dark haired woman wearing a white top removing a tennis ball from down the front of her top and then hitting it with a racquet. A young man gets the ball and rubs it over his cheeks and a male voiceover describes the contents of the latest edition of Zoo magazine including "hottest babes from TV's Amazing Race" and "when sexy girls go planking".

### THE COMPLAINT

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

*I was offended by the sexual nature of the articles and images being shown and particularly object to this advertisement being on at such an early time of day during a show which many children and teenagers watch.*

*I also object to the general nature of the advertisement and magazine - exploiting women as sex objects. Our young women do not need to be made to believe that this is how they must*

*behave in order to be appealing to the opposite sex. And our young men do not need to be conditioned into thinking that it is acceptable and normal to treat women as objects of sexual gratification.*

*It was shown at 7.25pm during family viewing - I was watching The Block with my young teenage son - very inappropriate for him. OK fair enough they want to advertise Zoo Magazine - but not during that time slot - that definitely needs to be later.*

*I think the ad is very confronting and as it shows a female with her breasts completely showing within the first few seconds it doesn't give you a chance to change the channel.*

*During the ad sexualized images of semi-naked females are also shown and I think this ad is completely inappropriate for the time slot it is aired.*

*I think it is extremely offensive to show such an ad during a family friendly time slot.*

*If this ad continues to be aired I think it should be shown after 9.30pm.*

*The content of the ad that came on at 7.27pm when my children were watching was inappropriate for the time slot in my opinion. We were watching "In Their Footsteps" and this ad came on. The ad contained images of women that are sexual in nature and objectify women. (Lots of big tit shots). Too sexual for the time slot.*

*The main focus of the ad was full-on barely covered breasts - lots of bikini girls and sexual references - we were watching ""In Their Footsteps"" and the timeslot the ad appeared in was not appropriate. Young children were watching and my 11 year old son finds this sort of imaging of women offensive.*

*My family and I were completely appalled at being confronted with such content at such a time in the evening.*

*Needless to say it was a complete juxtaposition to the fantastic and inspiring content of the fine programme 'In Their Footsteps' which happened to be about a Salvation Army Officer and his service during the Second World War; a decent man of great morals.*

*I am surprised that you do not have an email address or phone number to which complaints can be made.*

*I expect an apology from you and I expect that my family and I won't be confronted with such dreadful advertising between 6.30pm and 7.30pm next Sunday on Channel Nine.*

## **THE ADVERTISER'S RESPONSE**

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

*Zoo Weekly is Australia's most successful men's magazine, now selling over 90,000 copies each week.*

*Sport, News, Girls and Gags are topics our target market seek out and are the cornerstones of our editorial direction.*

*Our core audience recognise amusing moments in life and react in certain ways. We've tried to capture this through our latest TV advertisements with Zoo man recognising these moments and remarking, "That's Zoo." We take steps to ensure that all parts of the advertisement including content and the magazine pages that appear are suitable for the rating we are granted. These are included in our liaisons with Commercials Advice Pty Ltd (CAD).*

*All possible steps were made to ensure the advertisement complied with Commercial Television Industry Code of Practice and of the two executions, the kebab execution was*

*classified with a 'PG' rating' whilst the Tennis execution was classified with a 'MA' rating. We ensure both ads only appear in the appropriate timeslots for the target market. We can assure you that the Tennis execution is only broadcast after the 8:30pm guidelines and does not run in any G or PG rated programs. Also included in the process, were ongoing liaison with CAD at concept, script and edit stages.*

*In regards to section 2.3, "Advertisements shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone" and section 2.1, "Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of face, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief":*

*The advertising agency engaged with CAD at the script, pre-production & post-production stages, where direction was taken on the visuals and audio to ensure the advertisement was suitable for the relevant viewing times.*

*The advertisement does not portray any persons in an inappropriate manner, and there is absolutely no nudity in this advertisement.*

*We hope that this adds clarification about the intent of the Zoo Weekly advertisement and provides the required background information, please do not hesitate to contact me should you need anything further. I would like to reiterate that every step was taken to ensure this advertisement complied with all required regulations.*

## **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 was screened during programs which have a strong family orientation and features images of women in sexually suggestive poses wearing little clothing.

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 advertiser's response that they have taken steps to ensure that all parts of the advertisement including content and the magazine pages that appear are suitable for the rating, in this instance PG for the advertisement featuring a kebab, and MA for the advertisement featuring tennis.

The Board noted that each advertisement has only appeared in the relevant time zone for its classification. The Board noted that the advertised product is a magazine with a male readership and is also classified as a category that is able to be advertised in general media.

The Board considered that the image of the woman's breasts in the van in the opening part of the PG rated advertisement was not offensive. The Board considered that there was no sexual connotation in this part of the advertisement, with the man exhibiting lust towards the kebab - not the woman. The Board noted that the other images in the advertisement depicted women in underwear and considered that most people would find the images mildly sexual but relevant to the product and not inappropriate for the relevant audience and time zone.

The Board considered that the image of the woman retrieving a tennis ball from her top in the MA rated version of the advertisement, whilst sexually suggestive, was not inappropriate for its MA classification. The Board noted that the remainder of the advertisement was similar to the PG rated version in that it depicts women in underwear, and again considered that most people would find the images mildly sexual but relevant to the product and not inappropriate for the relevant audience and time zone.

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.