



Case Report

1	Case Number	0222/13
2	Advertiser	Brand Developers
3	Product	Sport and Leisure
4	Type of Advertisement / media	TV
5	Date of Determination	10/07/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

Complainant's description: "It is called the "Brazil Butt Lift" It has closeup images of girls bottoms during exercise, and before and after their butt lifts."

THE COMPLAINT

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

I object to this advertising as it is explicitly shows adult women's bottoms and groins so repetitiously to six year olds. It is put on at a time slot absolutely unsuitable for the viewing audiences. My little six year old granddaughter was watching a cartoon between 1.30pm and 2.00 on channel 99, and I could hear these ads which continued during the entire cartoon. It is extremely offensive to me that children are being targeted and exposed to adult bottoms and crutches and the ad makes such an intense focus on the women's bottoms being tensed and just shown in just such a negative lurid and obscene way. Are our children being grooming for future exploitation, inducing them to be overly body conscious of their bottoms. These ads are for an adult audience NOT children. A very late time slot of after 10pm would be more suitable if at all. What kind of message does it send?

THE ADVERTISER'S RESPONSE

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

The complainant is solely concerned with the style of the content of this advertisement. In their opinion there is an excess of focus on women's' bottoms and groins, and they are concerned at such exposure with the advertisement being played during afternoon cartoons.

To clarify the infomercial is a half our show so there is no way it can play during the cartoons.

Of course, bottoms are sharply focused throughout this advertisement. Butts, bums, or bottoms by any other name, are a primary source of concern with women who have some pride in their personal appearance. A woman seldom asks her partner if her eye shadow is the right shade, or seeks opinion about her décolletage, but will so often ask her man "does my bum look too big in this?" However, within this TVC there is nothing salacious, nothing sexily gratuitous, nothing untoward to influence anyone improperly, let alone a six year old. The shots of bottoms are entirely relevant, but we would dispute that there was any excess of gratuitous crutch or groin shots.

At six, most children have their own hilarious sense of potty humour but it's totally unrelated to anything within this TVC, and we would suggest they would be largely impervious to it except in the way they may perceive it as intruding upon or interrupting their programme. And the complainant is correct, the TVC is not aimed at children. However, the mothers who are likely to be watching with them, or nearby in sight and hearing range, are one of the most likely users of the product.

Preserving, or recapturing body- shape after childbirth is an aspiration for many young mums, and the Brazil Butt Lift is an easily affordable and highly enjoyable option.

There is no way this could be viewed as grooming kids for later exploitation. But then, neither are we claiming this advertisement in some way is creating an awareness to avoid early teenage obesity and early adulthood diabetes. The Brazil Butt Lift is a programme that puts the focus on managing the gluteus maximus aspect of body-shape, if that is the area that is of most concern to the viewer.

There are of course, overall considerable weight and fitness advantages too, but these can be viewed as bonuses along with the three free items that come with the DVD.

Under section 2 of the Advertising Code of Ethics and particularly under the Code for Advertising and Marketing Communications to Children, there is nothing in this advertisement that does not comply where it should meet specific requirements. It has the appropriate approval and has played over 450 times across many channels without any similar complaint. Although we accept the sincerity of the complaint, we do not believe there are any grounds to uphold it.

On that basis we request that the complaint be not upheld.

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 features close up images of women’s bottoms and that this is unsuitable for children to see.

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

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 the advertisement is a half hour advertorial promoting an exercise DVD program called “Brazil Butt Lift” and that over the entire thirty minute promotion it features extensive footage of people exercising, testimonials and comments from the exercisers and close ups of the changes made to the shape and tone of their bottoms achieved as a result of exercising.

The Board noted the complainant’s concerns that the close up images of bottoms are not appropriate and are unsuitable for children to see and considered that it is not inappropriate for an advertisement promoting an exercise program to show images of the effects of the exercise on your body. The Board noted that there are many close up shots of women’s bottoms however the Board considered that these images are presented in a manner which is factual rather than sexualised and that all the women are depicted in clothing and poses consistent with the message they are promoting.

The Board noted that the nature of the product being advertised along with the length of the advertisement means that the advertisement would not be of appeal to children and considered that even if children were to see the advertisement its content is not inappropriate or unsuitable.

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.

The Board considered 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 complainant’s concerns that the advertisement could induce children to be body conscious of their bottoms. The Board however considered that the advertisement presents an exercise program in a positive manner and that it would be unlikely to lead children to develop body issues if they were to watch the advertisement. The Board considered that the people depicted in the advertisement were confident and appeared healthy and full figured.

The Board considered that the advertisement did not depict material contrary to prevailing community standards on health and safety around body image and determined that the advertisement did not breach Section 2.6 of the Code.

Further finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.