



Case Report

1	Case Number	0251/15
2	Advertiser	Pacific Brands Holdings Pty Ltd
3	Product	Lingerie
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	24/06/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.4 - Sex/sexuality/nudity S/S/N - sexualisation of children
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features three young women wearing Bonds underwear and dancing. The voiceover says, "Get 40% off everything at the big Bonds sale".

THE COMPLAINT

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

*Teenagers in underwear during family time watching TV.
I think it's exploitative to have teenage very thin girls dancing in their underwear on TV.
They are thin and have atypical figures which is creating eating disorders in girls.
Sexualising teenagers to advertise is wrong.
It was during children's viewing times and is not suitable as it is so in your face, my 11 year old son thought it was strange!*

THE ADVERTISER'S RESPONSE

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

I write in response to complaints against the Bonds Sale campaign, specifically relating to the following sections of the AANA Code of Ethics:

2.2 - Objectification Exploitative and degrading - women

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

2.4 - Sex/sexuality/nudity S/S/N - sexualisation of children

2.6 - Health and Safety Within prevailing Community Standards

On 2 June 2015, the Bonds Sale campaign launched to promote 40% off Bonds products in store and online between Tue 2 June and Mon 15 June 2015.

Bonds is an underwear company, best known for its bright colourful underwear products. The TVC was designed to showcase a selection of some of the most popular underwear available in store and online at 40% off for the June Sale.

The campaign highlights the movements consumers do while in stores shopping over a sale period. From running in the front doors, to grabbing product from racks and shelves, to looking at yourself in the fitting room mirror, the dance was designed as a fun, light-hearted way to showcase sale shopping movements.

Bonds is a family brand that Australians have known and loved for nearly 100 years and is renowned as having something for everyone – whether you're 8 seconds or 80 years old.

In regard to the complaints that have been made to the ASB under Complaint Reference Number 0251/15, regarding sections 2.2, 2.4 and 2.6 of the AANA Advertiser Code of Ethics, we take the opportunity to refute these as follows:

In reference to section 2.2, 2.4 and 2.6 we disagree that the women in the TVC are being overtly sexual or provocative nor being exploited or objectified. The "DO THE SHOP" super at the start of the ad sets up the idea that the dance moves the talent are performing depict movements one would make while shopping. The dancing is fun and playful, and in a manner consistent with the Bonds personality. The ad in question is 15 seconds, and is designed to quickly showcase Bonds bestsellers that were available at "40% off" to the primary target, in this instance women. The close ups are to show detail on the product, not to focus on specific body parts. We also add that the talent in the campaign were of the ages, 21, 23 and 26 years old at the time of filming.

Further, it is worth noting that the Bonds Sale campaign received approval from CAD with a W classification allowing it to be broadcast at any time except during C and P programs and adjacent to C and P periods. In response to the third complaint we note that "Teen Titans" is rated PG and therefore our ad is able to run within this program.

We trust upon viewing the TVC, and written response, you will agree that the Bonds Sale campaign does not breach the AANA Advertiser Code of Ethics.

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 young teen girls dancing in underwear and this is both exploitative and inappropriate, and the use of thin models creates eating disorders in girls.

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

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 be in breach this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board the advertisement features women dancing in their underwear and considered that it was reasonable for an advertiser to depict its products being modelled in its advertising. The Board noted that whilst there were some close-up views of the underwear, the Board considered that these images were to highlight the product rather than the models bodies. The Board considered that the way the advertisement appears gives focus on the underwear rather than the women’s pelvic regions or breasts.

The Board noted the complainants’ concerns that the women in the advertisement appear to be underage. The Board noted the Practice Note to Section 2.2 of the Code which states, “In advertisements where images of children are used, sexual appeal is not acceptable and will always be regarded as exploitative and degrading.”

The Board considered that the women in the advertisement all appear to be over the age of 18 years and considered that the advertisement did not feature underage girls and did not breach the Practice Note for Section 2.2 of the Code.

The Board considered that the advertisement did not employ sexual appeal in a manner which is exploitative and degrading.

The Board determined that the advertisement did not 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 it had previously dismissed complaints about similar television advertisements for the same advertiser in cases 0304/13, 0397/13, 0401/14, 0514/14 and 0002/15.

Consistent with its previous determinations the Board considered that the overall tone of the current advertisement is fun and innocent, the dancing is not sexualised and there is no nudity.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

The Board then 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 concern that the advertisement promotes eating disorders in young girls. The Board however considered that all the women in the advertisement appear to be of a healthy body size for lingerie models. The Board considered that the advertisement did not depict under-weight women and did not encourage women to try and be under-weight.

The Board determined that the advertisement 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 complaints.

