



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0275/18
2	Advertiser	Everlast Trading
3	Product	Automotive
4	Type of Advertisement / media	Transport
5	Date of Determination	20/06/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Objectification Degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

The transport advertisement includes details of the business and an image of a woman standing with her legs apart and a truck driving through them. The words 'cover your load' are above the woman.

THE COMPLAINT

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

The ad uses a scantily-clad woman to sell completely unrelated products and, further, as she is positioned astride the truck, draws sexual innuendo inappropriate to public display. It is clearly out of step with the AANA code of ethics and community expectations around the public depiction of women in respectful and non-sexual ways.

THE ADVERTISER'S RESPONSE



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

Advertiser did not respond.

THE DETERMINATION

The Ad Standards Community Panel (the “Panel”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Panel noted the complainant’s concern that the advertisement uses a scantily clad woman which has no relation to the product being sold, and that there is sexual innuendo inappropriate for public display.

The Panel viewed the advertisement and noted the advertiser did not respond.

The Panel 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 or degrading of any individual or group of people.”

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body parts where this bears no direct relevance to the product or service being advertised. Degrading – lowering in character or quality a person or group of people.

The Panel noted this transport advertisement includes details of the business and an image of a woman standing with her feet apart and a truck positioned between her feet. The words 'cover your load' are above the woman.

The Panel noted the complainant’s concern that the advertisement objectifies the woman shown standing astride the truck and that the product has no relation to women.

The Panel considered that there is no specific focus on any particular body parts of the woman, and that she is not depicted in a sexualised pose.

The Panel noted that some members of the community may consider the positioning of the truck between her feet to be phallic imagery, but considered that the way the woman is standing over the vehicles, essentially covering them and the text “cover



your load” is a call to action and is related to the product being promoted. The Panel considered that this is not a depiction that employs sexual appeal that is exploitative or degrading.

The Panel determined that the advertisement did not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people, and did not breach Section 2.2 of the Code.

The Panel 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 Panel noted the complainant’s concern that the advertisement draws sexual innuendo inappropriate to public display.

The Panel noted that the audience for this transport advertisement could be broad and would likely include children.

The Panel noted that the phrase “cover your load” could be interpreted by some members of the community as a double entendre, but considered that this interpretation is unlikely to be understood by children. The Panel considered that the words could easily be explained as a direct link to the product of truck tarpaulin covers.

The Panel noted it had previously dismissed a similar print advertisement for this advertiser in case 0404/13 in which:

“The Board noted that the swimsuit the woman is wearing covers her private areas and is not sexy or revealing. The Board considered that the image was not inappropriate in the context of an advertisement which is used on faxes to businesses as the image is relatively mild and does treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience. The Board noted the double entendre of the phrase, “Cover your load” and considered that this phrase is relatively mild and is unlikely to be understood as a sexual reference by many people given the clear picture of a tarpaulin covering the truck.”

Consistent with the previous determination, the Panel considered that there is no nudity or overt sexual suggestion in the advertisement and considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience.

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



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