



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
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## Case Report

<b>1. Case Number :</b>	<b>0277-21</b>
<b>2. Advertiser :</b>	<b>With Jean</b>
<b>3. Product :</b>	<b>Clothing</b>
<b>4. Type of Advertisement/Media :</b>	<b>Internet - Social - Instagram</b>
<b>5. Date of Determination</b>	<b>13-Oct-2021</b>
<b>6. DETERMINATION :</b>	<b>Upheld – not modified or discontinued</b>

### ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

This Instagram Story advertisement features an image of a woman in a green and orange checked bikini. The woman is sitting on the edge of a chair, and reclining so her head rests on her arms on the table. Information on the product name and a link to the website is provided.

### THE COMPLAINT

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

*The model in the image is clearly emaciated, her ribs are sticking out, she looks like she is likely suffering from anorexia and this advertisement by using her figure to promote their clothes is glamorizing eating disorders and dangerously thin female bodies. This kind of material can be detrimental to young girls and women who can so readily see this content displayed on a social media story for a page with over 400,000 followers, it is not a realistic image of a female body, but in fact quite a concerning one.*

### THE ADVERTISER'S RESPONSE

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

*Advertiser did not provide a response.*



## **THE DETERMINATION**

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

The Panel noted the complainant's concern that the advertisement depicts a clearly emaciated woman which can be detrimental to young girls and women who see this content on social media.

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

### **Section 2.6: Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.**

The Panel noted the Practice Note to this section of the Code which states:

*“Advertising must not portray an unrealistic ideal body image by portraying body shapes or features that are unrealistic or unattainable through healthy practices. Exposure to unrealistic body ideals can lead to harmful body dissatisfaction and disordered eating and for this reason it is not acceptable in advertising.*

*UNREALISTIC IDEAL BODY IMAGE: Advertising that provides an unrealistic ideal body image by portraying body shapes or features that are unrealistic or unattainable through healthy practices, which is not justifiable in the context of the product or service being advertised, will be contrary to prevailing community standards relating to health and safety. An unrealistic ideal body image may occur where the overall theme, visuals or language used in the advertisement imply that:*

- *a body shape, or feature, of the kind depicted (e.g. very thin or very muscular) is required to use the product or service or to participate in an activity associated with the product or service;*
- *those people who do not have a body shape, or feature, of the kind depicted cannot use the product or service, or participate in a particular activity; or*
- *those people who do not have a body shape, or feature, of the kind depicted should alter their body shape, or features, before they can use the product or service, or participate in a particular activity.*

*An unrealistic ideal body image may also occur where models are depicted in a way that:*

- *promotes unhealthy practices*
- *presents an unrealistic body image as aspirational; or*
- *is reasonably likely to cause pressure to conform to a body shape that is unrealistic or unattainable through healthy practices (such as diet or physical activities); unless such depictions are justifiable in the context of the product or service advertised.*

*BODY SIZE: The Code does not require the use of ‘healthy weight’ models as this term could exclude people in smaller or larger bodies from advertising and unnecessarily limit the portrayal of diversity in society. As such, advertisements may include a*



*diversity of images, including people who have a variety of sizes and shapes, but advertisers should take care to avoid images of people with extreme body weights or shapes that are unrealistic or unattainable through healthy practices which are not justifiable in the context of the product or service advertised, and which are contrary to prevailing community standards relating to health and safety. While the use of people in smaller or larger bodies is itself not necessarily problematic, advertisers must ensure that models do not adopt a pose or are not depicted in a way which produces an unrealistic sense of body image, for example through the style of the advertising, the clothing, lighting, or make-up used.”*

The Panel noted that the person depicted in the advertisement is advertising fashion and that typically models used for such promotions are of a slim body type.

The Panel noted that in line with the Practice Note for the Code states that advertising can include images of people who have a variety of sizes and shapes, but advertisers should take care to avoid images of people with extreme body weights that are unattainable through healthy practices.

The Panel noted the woman’s ribs were visible and her stomach was concave. The Panel acknowledged that the woman may just be of a slim build and that it is not possible to tell from a photo whether she is unhealthy. However, the Panel considered that elements of the advertisement, such as the shading and the woman’s pose, combined to emphasise features such as her rib cage and stomach and highlight the thinness of the woman.

The Panel considered that the washed-out colours of the advertisement combined with the woman’s inactive pose and sad facial expression created the impression of someone who is unhappy and lacking energy. The Panel noted that apathy and exhaustion can be linked to malnutrition, and the woman’s pose and facial expression added to the overall impression that the advertisement is portraying an unhealthy body type.

Overall the Panel considered that the person depicted in the advertisement looked emaciated and considered that while the model herself may not actually be unhealthy, the impression of the advertisement was of a person that looked thin to a degree that would not be attainable by healthy practices.

The Panel considered that most members of the community would consider such an image to be promoting an unhealthy body image.

### **Section 2.6 conclusion**

The Panel considered that the advertisement did contain material contrary to Prevailing Community Standards on health and safety and determined that it did breach Section 2.6 of the Code.

### **Conclusion**



Finding that the advertisement did breach Section 2.6 of the Code the Panel upheld the complaint.

**THE ADVERTISER'S RESPONSE TO DETERMINATION**

The advertiser has not provided a response to the Panel's determination. Ad Standards will continue to work with the advertiser and other industry bodies regarding this issue of non-compliance.