



Case Report

1	Case Number	0337/11
2	Advertiser	Shaver Shop Pty Ltd
3	Product	Toiletries
4	Type of Advertisement / media	Print
5	Date of Determination	14/09/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

Print advertisement for home hair clipper kits for Dad. Includes an image of a man side on in a shower shaving near his private area and includes the text 'achieve the optical inch' Under the product images is a cartoon style drawing featuring usage instructions:
Step 1. "Inspect your bonsai" Features and drawing of a male torso
Step 2. "Choose your trimming comb." Features an image of a body Grooming Product
Step 3. "Trim your Trunk" Features an image of the product being used on a pixilated area
Step 4. "Display your Bonsai Proudly" Features a drawing of a man smiling

THE COMPLAINT

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

The photograph in the Philips Body Groom ad shows a naked man in the shower holding a shaver to his genital area. I feel the photograph is too graphic. I found the photograph and sketches offensive. Particularly because it was a catalogue inserted in the Canberra Times. Other publications may have been suited. I actually had picked up the Canberra Times as it had been delivered to the school I work at. Quite often these newspapers are taken to classrooms to use for art, social studies (e.g. advertising), maths classes for discounts, percentages etc. The catalogue would easily have landed in the hands of small children.

I object strongly the outrageous colour photo of a fully-nude man shaving his private parts in the shower shown sideways. This is a sexually projected image which is totally inappropriate for a widely-distributed catalogue. I also object to the hand-drawn diagram of how to "Achieve the Optical Inch" with 4 drawings showing how to directly use a shaver around the male genital area along with the descriptions: "Inspect your bonsai"; "Choose your trimming comb"; "Trim your trunk". I also object to the final statement in the advert of "displaying your bonsai proudly". Taken either individually or together as an attempt to advertise/promote the Philips Body Groom is frankly pornographic and would shock a lot of families. It is a disgusting, repellent advertisement. I myself was going to give it to my son to choose something for his grandfather – but I won't now because of that advert! I have lost faith in the company which I previously patronised and trusted. The advertisement is exploitative sexually aggressive and unfortunately distributed to the public at large which will necessarily mean that it will be accessed and viewed by people of all ages. The advertisement is an outrageous and reprehensible action on the part of the company Shaver Shop.

THE ADVERTISER'S RESPONSE

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

When reviewing this customer complaint, I would ask you to review the following background information;

- 1. What does Shaver Shop sell- what is our core business (hair removal).*
- 2. Shaver Shop's strategy and objectives under-pinning this creative.*
- 3. The thought process behind this concept.*

Shaver Shop- Background

- Private owned Australian company*
- Australia's leading personal grooming retailer*
- Core business 'all things related to hair removal'*
- 25 year old business*
- Franchise operation*
- 61 stores across Australia*

Shaver Shop's Primary or Core Business

Shaver Shop's primary business is in the area of 'all things related to hair removal'

- Men and woman's hair removal*
- Hair removal across all body parts*
- All forms of hair removal technology*
- All forms of hair removal sales channels*

What products related to hair removal- what does Shaver Shop sell?

Category Description

Examples

Facial hair Electric razors, epilators, waxing, blade shaving. Heat based treatment, pre and post hair treatments, cleaning and maintenance products for facial hair removal.

Head Hair Electric clippers & blade shaving. pre and post head hair treatments, cleaning and maintenance products for head hair removal

Body Hair Electric body groomers, waxing, blade shaving. epilators, tweezers, light based technology (IPL and HPL treatments), heat based technology, pre and post body hair treatments, cleaning and maintenance products for body hair removal Waxing, electric razors, blade shaving. Epilators

Long Term Hair Removal Heat based treatment, light based treatments (IPL and HPL technology),

Nose, Ear and Eyebrow Electric and battery trimmers, tweezers, pre and post nose, ear and eyebrow hair, cleaning and maintenance products for nose, ear and eyebrow hair removal

Changing Consumer Trends In the area of 'hair removal' and the opportunity for Shaver Shop

Males and Females are both desiring less body hair. This is an important changing consumer behaviour trend that is driving Shaver Shop's sales growth over the past 12 months. The 'hair-free all-over' look is becoming more and more desirable for men and woman, this represents an enormous opportunity for Shaver Shop.

- *Men - The 'hair-free all over body' look is now viewed as athletic and masculine. This represents an enormous (logical) opportunity for Shaver Shop, who specialise in the business of 'hair removal' (core business = hair removal).*

- *Women - Have long since viewed hair removal as a key part of the beauty regime. Traditional female hair removal practices for females have concentrated around the waxing or shaving legs and bikini lines*

Shaver Shop's Marketing Activity

- *90% of all marketing spend occurs in the form of press insert catalogue activity.*
- *50% of all marketing activity occurs over summer as this is our key selling period.*
- *Approx. 12 catalogue events per year*
- *Min 8 pages, 12 pages at peak seasonal periods (Father's Day & Christmas)*

National print media distribution

- *Frequency of marketing activity is heavily geared towards the Father's Day & Christmas period*

- *Hair removal products are naturally in greater demand over the summer months because males and females tend to wear less clothing in warmer temperature - exposing more of their body.*

- *Generally speaking, both males and females (in particular) tend to dislike having visible hair on legs, arms, chest etc ...which obviously becomes a greater concern in the hotter months i.e. when body hair is more visible.*

Creative

The catalogue in question is attached under file number SS Father's day 2011. The section of this catalogue that relates to the complaint consists of a man standing side on with a body grooming product in his hand and placed on his hip. Under the title of "GET RID OF HAIR... EVERYWHERE!" Under the product images is a cartoon style drawing featuring usage instructions:

Step 1. "Inspect your bonsai" Features and drawing of a male torso

Step 2. "Choose your trimming comb." Features an image of a body Grooming Product

Step 3. "Trim your Trunk" Features an image of the product being used on a pixelated area

Step 4. "Display your Bonsai Proudly" Features a drawing of a man smiling

Strategy behind Creative

As a small business operator we utilize the images and materials we can obtain from our suppliers. The imagery featured in this catalogue has been provided by Philips.

The strategy behind this creative is to explain what the product is to be used for. A Body Groomer is designed to remove hair all over the body and with many shavers, hair clippers

and beard trimmers all looking the same to consumers it is important to distinguish between the various products and the result achieved with particular products to ensure that the customer is purchasing the product that meets their needs.

This strategy is not restricted to Body Grooming; on the same page under Hair Clippers we feature two men with shaved heads. 1 image is of a practically bald man next to a product called the Balder Hair Clipper. This product is designed to produce the bald look of the model featured next to it. This strategy is common throughout our marketing and on next page of the catalogue there is a man featured getting a massage in a massage chair and a female using a light based hair removal product on her under arm, legs and bikini line.

Summary

Shaver Shop strongly denies that its catalogue creative (in any way) is a sexually projected image that could be construed as sexually aggressive or exploitive. There is no nudity, rear or frontal featured in the advertisement and it could not be described as pornographic.

Shaver Shop has developed a catalogue creative across all categories that is explanatory and has the simple aim explaining the appropriate product for the desired outcome. If males aspire to have a hair free (body), then Shaver Shop can naturally sell them a suitable product that will achieve this result i.e. Body Groomers

Shaver Shop believes it has not breached the AANA code of ethics. Shaver Shop does not believe its catalogue creative attempts to portray pornographic or sexually projected images, be sexually aggressive or exploitive of men.

Thank you for consideration of the above response and I look forward to a favourable reply.

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 is offensive and contains an image of a naked man that is inappropriate for viewing by children.

The Board reviewed the advertisements and noted the advertiser’s response.

The Board considered whether the advertisements were 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 advertisement features a side on image of a man in a shower shaving his genital region.

The Board noted that the private parts of the man are not visible and considered that the depiction the man shaving was relevant to the product being advertised. The Board considered that most members of the community would consider the level of nudity within the advertisement to be very mild and not offensive and noted that the ad appears in a catalogue which is not directed to children.

The Board considered that the text included within the brochure was intended to be humorous and that any mild sexual innuendo would not be readily understood by children.

Based on the above 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.