



**ADVERTISING  
STANDARDS  
BUREAU**

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# Case Report

<b>1</b>	<b>Case Number</b>	<b>0394/13</b>
<b>2</b>	<b>Advertiser</b>	<b>Ministry of Sound</b>
<b>3</b>	<b>Product</b>	<b>Entertainment</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>27/11/2013</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

## DESCRIPTION OF THE ADVERTISEMENT

The television commercial features Vitoria Triboni, a sports and glamour model, wearing shorts and a bikini top and holding a chequered flag whilst cars do burnouts around her.

## THE COMPLAINT

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

*The product is for a music soundtrack of high bass music, however the ad prominently featured a barely pubescent looking female parading around a race track in a bikini and shorts whilst male drivers raced around her.*

*The ad asks "if you can handle it" whilst cutting to close shots of the woman's breasts as well as ass shots. It also mentions "speaker blowing tracks" referring to ejaculation. It is an uncomfortable objectification of the female with repeated blatant sexual innuendo.*

## THE ADVERTISER'S RESPONSE

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

*Maximum Bass Nitro is a three CD album set featuring three distinct types of music which include Hip Hop, bass heavy beat and hard dance music. Now in its tenth year, it is one of Australia's most successful urban music compilations.*

*The featured music has a particular emphasis on bass, designed to appeal to the modified car lovers market. The music mixed in the background and the artists names featured in commercial are included on these albums.*

*We do not believe this advertisement objectifies, exploits or degrades women nor do we believe that it is overtly sexual. We endorse everything stated in the commercial.*

*The album is available in stores & online from Friday October 4th 2013. Information about the release can be found at our website stated in the TVC. [www.ministryofsound.com.au](http://www.ministryofsound.com.au).*

## **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 parts of a woman's body and sexual images and innuendo.

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 the advertisement features a woman wearing shorts and a bikini top waving a chequered flag whilst cars drive around her.

The Board noted the complainant's concerns that the advertisement features close-up images of the woman in a manner which is objectifying. The Board noted that the woman is presented in the advertisement in a manner consistent with a race track scenario where women are often used to start car races. The Board noted that the woman is wearing clothing which covers her private areas and considered that whilst we do see close ups of her body these images are brief and are accompanied by close-up images of the vehicles in the advertisement.

The Board considered that overall the woman is depicted in a manner in which she appears confident and in control and that the advertisement does not employ sexual appeal which is exploitative and degrading.

The Board determined that the advertisement did not breach Section 2.2 of the Code.

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 complainant's concerns that the advertisement uses blatant sexual innuendo and features images of a woman's body.

The Board noted the advertisement uses the descriptor, "speaker blowing tracks" which the complainant believes to be a reference to male ejaculation. The Board considered that in the context of an advertisement for a music CD called Bass Nitro, the most likely interpretation of the phrase, "speaker blowing tracks" is that the bass of the music CD will blow your music speakers.

The Board also noted the phrase, "think you can handle it?" and considered that this phrase is clearly in the context of the music being advertised and/or the cars doing burnouts and in the Board's view there is no suggestion that the phrase refers to the woman in the advertisement.

The Board noted that the advertisement has been rated 'PG' by CAD and considered that the content of the advertisement was not inappropriate for the relevant audience which could include children.

The Board considered that the advertisement does treat sex, sexuality and nudity with sensitivity to the relevant audience.

The Board 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 advertisement features cars doing burnouts around a woman. The Board noted that the burnouts are clearly done off-road under controlled conditions and considered that the advertisement does not depict material contrary to Prevailing Community Standards on health and safety.

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 complaint.