



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0420/13
2	Advertiser	Sexpo Pty Ltd
3	Product	Sex Industry
4	Type of Advertisement / media	TV
5	Date of Determination	11/12/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The advertisement appears as a talk back program with a female host chatting to guests asking them about what they look forward to at the upcoming Sexpo event. A screen in the background shows scenes from a Sexpo event including women and men dancing on a stage and a woman holding up bags of shopping. The final scene shows the details of the event - Nov 22-24 at the Melbourne Exhibition Centre - and images of a woman in a black bra and a man wearing a t-shirt with the words, "USA's No.1 Adult Star" written across the front.

THE COMPLAINT

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

Inappropriate material features scantily clad people, Ad shown at time slot that is inappropriate and generally more family friendly and also during a PG program where children are still awake watching TV.

THE ADVERTISER'S RESPONSE

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

I am writing in response to a complaint received via email from you

This email relates to complaints about a television advertisement that aired on Channel 7 in Melbourne at 9:25pm during Beauty and the Geek.

The advertisement in question was factored by CAD and given a PG rating and was eligible for that time slot.

We do not believe that this advertisement breaches section 2 of the AANA Code of Ethics in any way.

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 contains sexual material which is inappropriate for airing at times when children are watching.

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

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 that the advertisement was promoting a ‘Sex Expo’ and featured a talk show style discussion between the host and some adults who were attending the expo. The male guest remained the same as three different women sat alongside him commenting on what they were looking forward to about the event. The dates and details of the event were also promoted.

The Board noted the advertiser’s response that the advertisement complied with Commercial Television Industry Code of Practice and the advertisement was classified with a “PG” rating and appears in the appropriate timeslots for the rating given.

The Board noted that this advertisement is for a sex related product - a Sex expo - and that mildly sexually suggestive images of both women and men are relevant to that product or service. The Board considered that references to “the Shafter” and “adult stars” are not likely to be understood as sexual references by children.

The Board noted that it had previously dismissed complaints about advertisements for Sexpo (case 0331/12, 0500/12 and 0109/13) and considered that the current advertisement was of a similar level of content.

The Board noted that whilst some members of the community would prefer for this product to not be advertised, in the Board’s view the advertisement is mild and 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.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.