



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0431/12</b>
<b>2</b>	<b>Advertiser</b>	<b>Target Australia Pty Ltd</b>
<b>3</b>	<b>Product</b>	<b>Clothing</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>14/11/2012</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.6 - Health and Safety within prevailing Community Standards

### DESCRIPTION OF THE ADVERTISEMENT

Photoshoot style advertisement featuring a female model wearing Roberto Cavalli's range of clothing and beach wear for Target. The model is shown posing and wearing a bikini as well as dresses and other clothing and at the end of the advertisement we see her going out at night wearing shorts and a black sparkly top whilst being heavily photographed.

### THE COMPLAINT

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

*Very disgusting. This ad was through a child's TV program. Was advertising underwear, swimmers and dresses. Very offensive. In your face advertising. Gives young teenagers issues with how they look. Not happy. Should not have this on TV. this stuff should be kept to late night TV or strip clubs. Disgusting.*

### THE ADVERTISER'S RESPONSE

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

*We refer to your letter dated 23 October, regarding a complaint received in relation to a Roberto Cavalli television campaign Target Australia Pty Ltd (Target) has recently conducted.*

*Target does not consider the advertisement to breach any part of Section 2 of the AANA Advertiser Code of Ethics (the Code) or the AANA Code for Advertising and Marketing Communications to Children (the Children's Code).*

*Target submits that the advertisement does not fall within the definition of an "Advertising or Marketing Communication to Children" as set out in section 1 of the Children's Code. The advertisement is not primarily directed to children aged 14 years or younger and is not an advertisement for a product which is targeted toward or has principal appeal for children.*

*The relevant sections of the Code provide as follows:*

*2.2 Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.*

*2.4 Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience.*

*The complaint describes the advertisement as "Very disgusting", "Gives young teenagers issues with how they look" and "... this stuff should be kept to late night TV or strip clubs".*

*We respectfully disagree with the complainant. We consider the advertisement to be appropriate and in line with Target's brand values. The target market for the advertising is women and the main message is that the Target range of Roberto Cavalli clothing is accessible to the Target customer.*

*We note that the advertisement was provided with a CAD rating of G, with a CAD reference TAR00179201 GW01ROA. It has only been displayed to the public in accordance with that rating in an appropriate timeslot from Thursday 17 October.*

*We submit that it is both necessary and reasonable to depict the swimwear products being modelled in the manner intended in the advertisement. Indeed, the swimwear is being worn in the context of the models being on a boat.*

*We do not consider that the advertisement sexualises or objectifies women.*

*We consider that the advertisement is appropriate for and reflective of our target market and would not offend the sensibilities of the general public within the context of an advertisement for women's clothing and swimwear.*

*We note that section 2.2 of the Code prohibits the use of sexual appeal in a manner which is "exploitative and degrading". We submit that the images in the advertisement are in keeping with typical womens clothing and swimwear advertising and would not be considered exploitative and degrading by the general community.*

*The complaint also appears to relate to section 2.4 of the Code requiring "sex, sexuality and nudity with sensitivity to the relevant audience". It alleges that the advertisement was "Very*

*offensive. In your face advertising". The models are depicted in typical poses for swimwear advertising. We consider that the advertisement does not breach section 2.4 of the Code.*

*Target is committed to upholding the standards of the Code in its advertising and appreciates your review of our response to these complaints.*

## **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 concern that the advertisement is offensive and inappropriate and could give teenagers issues with how they look.

The Board reviewed 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 this advertisement is for Roberto Cavalli's collection of clothing and swim wear for Target and features a female model modelling the outfits in different scenarios.

The Board noted the complainant's concerns that the advertisement is more appropriate for late night TV or strip clubs. The Board noted that the advertisement had been rated 'G' by CAD.

The Board noted that the advertisement is in keeping with similar advertisements for women's fashion wear and that the model is wearing appropriate clothing available to buy from Target throughout the advertisement. The Board considered that the poses struck by the model are also consistent with a fashion shoot and that the advertisement did not present sexualised imagery or unnecessary nudity.

On this basis 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 2.4 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 complainant's concerns that the content of the advertisement could give teenagers issues with how they look. The Board noted that the model used is slim, as most models are, and that she appears healthy and confident with her appearance. The Board considered that the advertisement did not present the woman as unhealthily skinny and does not present material which would be contrary to prevailing community standards on health and safety around body image.

The Board determined that the advertisement did not depict material which would be in breach of Section 2.6 of the Code.

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