



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0464/11
2	Advertiser	Calvin Klein Perfume
3	Product	Toiletries
4	Type of Advertisement / media	Pay TV
5	Date of Determination	07/12/2011
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

Models dressed in casual clothing dancing under colourful lights to loud music. In some scenes we see an underwear clad woman straddling a man. Final shot is of two bottles of CK Shock perfume.

THE COMPLAINT

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

It has simulated sex scenes - pornography.

THE ADVERTISER'S RESPONSE

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

Before running the ad we went through the correct processes and received a PG (Parental Guidance) rating from CAD which means we were able to run the ad in all timeslots (except Children's programming). This has been adhered to with our media buy.

We have submitted a request to CAD for comment on this matter but are yet to receive a statement from them.

THE DETERMINATION

The Advertising Standard Board ('the Board') considered whether the advertisement complied with the AANA Code of Ethics ('the Code').

The Board noted the complainant's concerns that this advertisement depicts simulated sex scenes.

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

The Board considered whether the advertisement complied with Section 2.3 of the Code which requires that advertising and 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 flashes of images of young people dancing or embracing and that in some scenes you see an underwear clad young woman sat astride a young man.

The Board considered that the scenes of the man and woman appeared to simulate sexual activity and were very sexually suggestive and that these images, although later seen to be dance moves, were very sexualised. The Board noted that advertisement had been rated PG by CAD and that a similar classification is likely to be applied by the subscription channels.

The Board noted that the product is called Shock and considered that the content of the advertisement is relevant in that context however the Board considered that this content is not appropriate for the relevant audience or the relevant programme time zone.

Finding that the advertisement contains sexual imagery inappropriate for viewing by a PG audience the Board determined that the advertisement breached Section 2.3 of the Code.

Finding that the advertisement breached Section 2.3 of the Code the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

In response to case 0464/11, the advertising material in question has been removed from air. We have no plans to re run this material.

