



Case Report

1	Case Number	0514/14
2	Advertiser	Pacific Brands Holdings Pty Ltd
3	Product	Lingerie
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	10/12/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features various people bouncing on a silver covered trampoline or sitting on giant hoop swings wearing the new Bonds range of underwear. Star-shaped confetti falls out of silver pillows over the people as they bounce and somersault, and glitter is blown over them by a giant fan. A woman holding an infant watches and the soundtrack features the lyrics, "Everybody get golden".

THE COMPLAINT

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

I have noticed that most Bonds advertisements' claims have been dismissed but this advert really stands out as the people's bodies become slightly manipulated by their activity thus showing us more than we need to see. The underwear no longer appropriately covers the individual's private parts.

Struggling with latest ad. Now I am not a prude but the lyrics "Everybody get golden" and being showered in confetti.

Are they suggesting golden showers? Approached Bonds direct with this and their response was "to pass this on to our creative agency". In the meantime, even though I sing the song in my head, I keep thinking of the implication.

Am tired of seeing scantily clad people in little or no clothing. Why couldn't they display their new range on mannequins or clothes lines?

1). Almost naked women in their underwear

2). Showing the advertisement between 3.30-4pm when children may be watching

3). Showing the advertisement during the cricket

This ad is pornographic. I am a counsellor who deals with people who are addicted to pornography. This is exactly the sort of display that 'turns them on'. Why would we do that to our community. It is putting the community at risk by teasing men with these images.

THE ADVERTISER'S RESPONSE

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

We write on behalf of our client, Bonds (Pacific Brands Underwear Group) in response to complaints against the Bonds 'SHINE BRIGHT' campaign, specifically relating to the following section of the AANA Code of Ethics: 2.1 - Discrimination or vilification 2.2 - Exploitative and degrading 2.3 - Violence 2.4 - Sex, sexuality and nudity 2.5 - Language 2.6 - Health and Safety On 9 November, 2014, the Bonds 'SHINE BRIGHT' campaign launched to celebrate Bonds' first ever range of products created specifically for the festive season. Bonds is a family brand that Australians have known and loved for nearly 100 years and is renowned as having something for everyone - whether you're 8 seconds or 80 years old. The 'SHINE BRIGHT' range celebrated this by touching all product categories, from men's underwear to children's dresses, women's leggings to baby wear and more – all featuring glittering gold, sparkling stars and bright confetti prints to capture the wonder of the festive season. The TVC itself was designed to bring these prints to life. Showcasing the breadth of the range, it featured men, women, a child and a baby, all wearing products from the Shine Bright range in a fun, 'Willy Wonka-esque' environment, to tell the fictional story of how these prints came to be. Given this is the first time Bonds has released a product range across so many categories, the use of real people wearing the products was integral to communicate the fun personality of the range and show the different ages and genders it caters for. In regard to complaints that have been made to the ASB under Complaint Reference Number 0514/14, regarding sections 2.1 – 2.6 of the AANA Advertiser Code of Ethics, we take the opportunity to refute these as follows: In reference to sections 2.1 and 2.2, we strongly disagree that our 'SHINE BRIGHT' campaign discriminates, vilifies, exploits or degrades anyone. Talent used in the campaign cover different ages, sexes and genders. As mentioned above, use of real people wearing the product was integral to showcase the personality and breadth of the range, and the ad is shot in a tasteful, light-hearted manner that focuses largely on the product. In reference to section 2.4 and 2.5, as above, the ad is shot in a tasteful, light hearted manner, and given there are children and babies featuring heavily in the campaign, we strongly refute any suggestion of sexualisation or pornography. In regards to language, the music track was chosen for its upbeat energy with lyrics that linked perfectly to the product range. The specific song lyrics of "everybody get golden" refer directly to the prints on the product being glittery and gold. In relation to sections 2.3 and 2.6, we deem these sections to be irrelevant to this campaign as the 'SHINE BRIGHT' TVC in no way promotes violence or danger to health and safety. Further, it is worth noting that the Bonds 'SHINE BRIGHT' campaign received approval from CAD with a W classification allowing it to be broadcast at any time except during C and P programs and adjacent to C and P periods. Lastly, Bonds retail partners, including majors such as Myer and Big W, have supported the campaign by displaying the 'SHINE BRIGHT' POS in their stores. We trust upon viewing the TVC, and our written response, you will agree that the Bonds 'SHINE BRIGHT' campaign does not breach the AANA Advertiser Code of Ethics. Please don't hesitate to contact me should you have any queries.

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’ concern that the advertisement features almost naked women in a manner which is pornographic and that the soundtrack and images are suggestive of ‘golden showers’. 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 this advertisement features various people modelling the new range of Bonds underwear whilst bouncing on a trampoline or swinging from giant hoops whilst confetti rains over them. The Board noted it had previously dismissed similar complaints for Bonds television advertisements including in case 0364/14 where: “The Board noted that the advertisement features women and men dancing whilst wearing different styles of Bonds’ underwear. The Board noted that the women and men are presented in a manner which is clearly intended to show the underwear they are promoting and that the women and men appear happy and confident... .. The Board noted that the complainant’s concerns regarding close-up images of groin areas and considered that the focus of the close-up scenes is the underwear. The Board noted that it is reasonable to expect an underwear advertisement to feature imagery of underwear and considered that the manner in which the underwear is presented in the advertisement is not sexualised and is not inappropriate. The Board noted that all the models in the advertisement, both male and female, are wearing the underwear in a manner which does not expose any of their private areas and considered that the advertisement did not contain any inappropriate nudity.” In the current advertisement the Board noted all the models in the advertisement are wearing underwear in a manner which does not expose any private areas and considered that the manner in which the underwear is shown is not sexualised or pornographic. The Board considered the complainant’s interpretation of the advertisement being suggestive of golden showers is an interpretation unlikely to be shared by the broader community. The Board considered that the advertisement did not include any images that did not treat sex, sexuality or nudity with sensitivity to the relevant broad audience and 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.