



Case Report

1	Case Number	0536/14
2	Advertiser	Calvin Klein Perfume
3	Product	Toiletries
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 alternates between scenes of a man and woman embracing and the woman in lingerie lying on a bed and running her hands over her body. Silk sheets blow across the screen and the final shot shows the product, Euphoria by Calvin Klein, and a close-up of the woman's face.

THE COMPLAINT

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

*I was watching better homes and gardens, which is G rated. An ad comes on of a man and a woman getting very physically intimate with each other, kissing and touching each other all over. It was a scene I would expect to see in a PG or M rated movie. I was watching with my 11, 9 and 5 year old children, and I felt I had to jump in front of the tv and get in the way of the screen (I couldn't find the remote in that moment). It was totally inappropriate, and I was not expecting it, when I'm watching a "g" rated tv show. Please explain.
Sexually suggestive advertisement. This is inappropriate to advertise at this time*

THE ADVERTISER'S RESPONSE

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

The Calvin Klein euphoria fragrance television commercial is the a modern interpretation if glamour and sophisticated femininity that remain core the euphoria Calvin Klein brand DNA. The ad was produced in 2010 and aired many times without any complaints. We feel the sensual tone of the commercial is very mild compared to others in its class in 2014. Our media buy adhered to the PG rating given to us by CAD.

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 is sexually suggestive and not appropriate for airing on television at 6.30pm on a Sunday. 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 the advertisement features a woman in a lacy body suit lying on satin sheets or embracing a man. The Board noted it had recently considered a similar complaint for Chloe perfume in case 0265/14 where: “The Board considered that the advertisement does have a mild sexual tone but that the actions of the woman and the overall theme of the advertisement is one of an excited young woman, in love and happy to hear the voice of the man on the phone. The Board considered that the overall impact of the advertisement is only mildly sexualised and considered that it does treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which could include children.” In the current advertisement the Board noted that the depiction of the woman is suggestive of her being in love and considered that in the context of the name of the advertised product, Euphoria, this depiction is not inappropriate. The Board noted that the advertisement had been rated ‘PG’ by CAD and had been viewed in a PG timeslot. The Board noted that whilst there is physical contact between the woman and a man, whose torso is naked, in the Board’s view this contact is sensual rather than sexualised. The Board noted that we see the woman running her hands over her body including her chest area but considered that in the context of the stylised nature of the advertisement this image was consistent with fashion advertising of this nature. The Board noted that the private areas of the woman and man are not shown and considered that the brief kissing scene is not sexualised or inappropriate for a broad audience which could include children. Overall the Board noted that the advertisement is sexualised but considered that it was not inappropriate for the relevant PG audience.

The Board considered that the advertisement did treat the issue of 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 complaint.

