



Case Report

1	Case Number	0563/17
2	Advertiser	Hanes Brands Inc
3	Product	Clothing
4	Type of Advertisement / media	Internet
5	Date of Determination	19/12/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

The 'Light It Up' NineMSN homepage digital display placements including side panels, an MREC, and a billboard of projected stars and lightning bolts.

THE COMPLAINT

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

I object strongly to this advertising as it is of a sexual nature. The small block advertisement in particular belongs in a porn magazine, and I am horrified at the message it sends to other women, and my young daughters, who frequently look at the computer with me in the mornings. This kind of advertising is degrading to women, and completely inappropriate on such a public space as the Nine MSN homepage at 8:45 in the morning.

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 (Hanes Brands) in response to complaints against the Bonds Christmas 'Light It Up' digital display campaign, specifically relating to the following section of the AANA Code of Ethics: 2.4 – Sex/Sexuality/Nudity (general).

Bonds is an underwear and apparel brand, best known for creating fun and fashionable undies for the whole family. On 5th November 2017, Bonds launched a new Christmas range of products including underwear and sleepwear for adults, and apparel and accessories for kids and babies.

The 'Light It Up' campaign takes the bright colours, fun patterns, and high energy impact of the range and uses them to celebrate this bright, fun, and high energy time of year.

The 'Light It Up' NineMSN homepage takeover this complaint refers to includes a number of digital display placements including side panels, an MREC, and a billboard. The left side panel shows a twenty-year-old woman jumping through the air as projected lightning bolts move around her. The MREC also includes a twenty-year-old woman jumping with projected stars floating around her. The right side panel shows a twenty-five-year-old man standing against a wall as projected stars float around him. The billboard – which isn't mentioned in this complaint – shows a 2-year-old girl sitting against a wall with her foot in the air as projected stars float around her.

In regard to the complaint that has been made to the ASB under Complaint Reference Number 0563/17, regarding section 2.4 of the AANA Advertiser Code of Ethics, we take the opportunity to refute as follows:

We disagree that the digital display creative treats sex, sexuality and nudity without sensitivity to the relevant audience. The whole 'Light It Up' campaign is designed to promote and celebrate a product range that includes items for the whole family. The poses and expressions of all the talent in these placements are fun and energetic, not sexual or seductive. The adult talent are wearing underwear from the Christmas range that is very much covering their genitals at all times. The images are intended to be of product and product details like the special metallic patterning, not particular body parts. The images are not intended, nor should they be interpreted, to be sexual in any way. We also refute any inference that adults, particularly women's, bodies are inherently sexual or degrading to women.

The tone of this campaign is intended to be fun and light-hearted in line with the Bonds brand values.

For the above reasons, we assert this ad also complies with section 2.2 of the Code, as well as all other parts of section 2

In addition, the 'Light It Up' NineMSN homepage takeover creative was approved in advance of going live by the publisher as appropriate to the general audience nature of the page.

We trust upon viewing the creative and our written response you will agree that the Bonds 'Light It Up' digital display does not breach the AANA Advertiser Code of Ethics.

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 is degrading to women and inappropriate.

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 digital advertisement features images that appeared on the NineMSN homepage of two adult females and one adult male modelling the advertiser's product. The two female models are each wearing a matching underwear set, one of whom has a printed gold coloured lightning strike that appears on the right side of the bra whilst the other female model is wearing a black shiny bra and orange coloured briefs. The male model is wearing a pair of red coloured Bonds trunks.

The Board considered that it is reasonable for an advertiser to promote clothing from their fashion line and that in this case the clothing is typical of what the advertiser is promoting and the poses on the models are not provocative or sexualised but rather playful.

The Board considered that the images where there is no breast visible or other private parts of the female or male models shown would not be interpreted as of a sexual nature and was not inappropriate in the promotion of underwear and sleepwear.

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 any other grounds, the Board dismissed the complaints.