



Case Report

| | | |
|----------|--------------------------------------|-------------------------|
| 1 | Case Number | 0564/17 |
| 2 | Advertiser | Hanes Brands Inc |
| 3 | Product | Clothing |
| 4 | Type of Advertisement / media | TV - Pay |
| 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' Advertisement of dancers dancing in formation with projections of lightning bolts fly around the room. The music fades and the first dancer is alone in the room as the Bonds logo is projected on the back wall. All the projected shapes fall down when she stomps her foot.

THE COMPLAINT

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

Barely dressed people ad being shown every ad break my child see this ad is very inappropriate.

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' TVC, 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' ad starts with a girl in her twenties walking towards a group of twenty-something dancers standing in a room, anticipating something big about to happen. The music starts up and they all smile. They get into position and start dancing in formation as the music ramps up. Projections of lightning bolts fly around the room. Cut to a new scene where a 5-year-old girl jumps on projected stars towards her grandmother and baby cousin. The family members smile at each other in wonder at the starry scene around them and the projected Christmas tree growing out beneath them. Cut back to the twenty-something dancers who are dancing energetically to the track. The music fades and the first dancer is alone in the room as the Bonds logo is projected on the back wall. All the projected shapes fall down when she stomps her foot.

In regard to the complaint that has been made to the ASB under Complaint Reference Number 0564/17, regarding section 2.4 of the AANA Advertiser Code of Ethics, we take the opportunity to refute as follows:

We disagree that the TVC treats sex, sexuality and nudity without sensitivity to the relevant audience. The TVCs are designed to promote and celebrate a product range that includes items for the whole family. The dancing, movements, and expressions of the six hero dancers are not sexual or seductive. They are consistently smiling and looking around in wonder at the projections as they 'light it up' to the beat of the music. The product is secured to cover their genitals at all times and the close ups throughout the TVCs are used to highlight product features including the fit, fabrication, and text. The close ups are intended to be of product, not a body part. The scenes are not intended, nor should they be interpreted, to be sexual in any way. We also refute any inference that women's bodies in underwear or references to underwear are inherently sexual or devaluing to women.

All talent in this TVC are empowered and joyous in their performances and 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' 30 second TVC and 15 second cut down TVC received a PG classification from CAD allowing it to be broadcast during programs that are P rated. By definition, parental guidance is recommended for programs with a P rating, but they are not classified as children's programming. The intended audience is women and men 25 – 54 and the classification of the TVC as well as instructions to networks ensures it is not on air during classified children's programming nor during adjacent periods.

We trust upon viewing the TVC and our written response you will agree that the Bonds 'Light It Up' TVC 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 inappropriate to be viewed by children.

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

The Board then 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 advertisement features images of three adult males and three adult female dancers, an older female model holding a young child and another young girl approximately 5 years old. The group of six models are dancing to a choreographed routine to the beat of music wearing the advertised underwear. In another scene the young girl runs towards the older female character whilst projected lightning bolts are displayed on the floor. Within this scene the two young children are fully clothed and the older female character is wearing sleepwear which consists of a t-shirt and cotton “boxer” style shorts. At the completion of the Advertisement the name of the Brand and the campaign are displayed on the screen.

The Board noted the advertisements had been given a P rating by CAD based on their content meaning it may be broadcast at any time of day, except during P and C programs or adjacent to P or C periods. (http://www.freetv.com.au/media/CAD/Placement_Codes.pdf). The Board noted that the CAD rating is not relevant to Pay TV broadcasts.

The Board noted that the overall impression of the advertisement is light-hearted and in line with the advertised Brand and considered the choreographed routine is clearly performed by trained professional dancers and is generally happy and not overtly sexualised or seductive in style..

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.

The Board considered that the images where there is no breast visible or other private parts of the women or men shown would not be interpreted as of a sexual nature and was not inappropriate.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach section 2.4 of the Code, the Board dismissed the complaints.

