



CASE REPORT

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| 1. Complaint reference number | 101/07 |
| 2. Advertiser | Calvin Klein Underwear |
| 3. Product | Clothing |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 10 April 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement features a black and white photograph of a male and female wearing jeans and holding each other. The couple is naked from the waist up.

THE COMPLAINT

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

The woman is unclothed on the upper part of her body, even though it is a side view because their bodies are against each other with skin contact it hints at a sexual gesture. I have to sit at traffic lights with my two young boys whose gaze naturally turns to the pictures around them. I am trying to help them to have respect for all people, especially women and that training begins when they are young. When they are confronted by such images there are desensitised to the reality of the goodness of real loving relationships. I have no power, apart from distraction when my boys' gaze goes to this picture. Such advertising as this is therefore offensive and unfair on children.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

Whilst I understand that she would be concerned having her children exposed to the image, I must insist that none of the cK brand images portray a lack of respect for either gender. There is always a mutual respect shown between both males and females, so from this point of view there can be no cause for concern.

Please note that the billboard will come down in less than a week and a half.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board viewed the advertisement and considered whether the advertisement contravened Section 2.3 of the Code dealing with sensitive use of sex, sexuality and nudity.

The Board noted the complainant’s comments that the advertisement was unsuitable and hinted at a sexual gesture. The Board considered that in this advertisement the man and woman were posed in a slightly sexual manner, but noted that neither of the subjects’ genitalia or breasts were visible. On balance the Board considered that the advertisement was appropriate to the relevant audience and did not breach section 2.3 of the Code.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.