



CASE REPORT

1. Complaint reference number	11/98
2. Advertiser	ACP Publishing Pty Ltd (Cosmopolitan Magazine)
3. Product	Leisure
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 10 March 1998
7. DETERMINATION	Dismissed

THE COMPLAINT

Comments which the complainants made regarding this advertisement included the following:

‘The young lady leaves the room and the camera goes under the table to show the younger man’s “purple” penis erecting in full view. The other man who is older smiles and then another shot of the penis erecting is repeated and then the ad about the magazine.’

‘This (advertisement) certainly implied that homosexual fantasies are not “good”. I find this type of advertising extremely irresponsible. The demography to which Cosmopolitan aims is the teenage female/male and persons in their 20’s, and 30’s, some of whom could be experiencing major problems with sexuality.’

THE DETERMINATION

The Advertising Standards Board (‘the Board’) considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics. In particular, the Board considered paragraphs 2.1 and 2.3 of the Code.

2.1 Advertisements shall not portray people in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief;

2.3 Advertisements shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone.

The Board was of the opinion that this advertisement did not breach Section 2 of the Advertiser Code of Ethics and accordingly dismissed this complaint.

Members of the Board noted in passing that the advertiser’s response pointed out that one of the complainants had mistaken for a penis what was clearly a ‘stockinged foot’.

Members of the Board also noted in passing the advertisement’s light-hearted and comic emphasis.