



## CASE REPORT

1. Complaint reference number	123/01
2. Advertiser	Just Jeans Group Ltd
3. Product	Retail
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Portrayal of sex/sexuality/nudity – section 2.3 Health and safety – section 2.6
6. Date of determination	Tuesday, 12 June 2001
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

This music-backed television advertisement opens on a snowfield scene where four young women are walking and talking. As they pass a snowman, made with a carrot for a nose and stones marking its eyes and mouth, the mouth transforms into a smile. As the women look back, laughing, the snowman is seen with the carrot now protruding below stones marking its jacket. The advertisement concludes with Just Jeans signage and a caption reading ‘20% Off Ends Sunday.’

## THE COMPLAINT

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

*‘This rather crude and offensive ad depicted a snowman with firstly a carrot for a nose and then as a blatantly erect penis...Just imagine a parent having to explain to a young child, when asked what the ad meant...’*

*‘This form of advertising is vulgar and unappropriate (sic)...’*

*‘...I saw this ad at a few minutes past 7.30 pm . I wouldn’t mind if this was on late at night...but it concerns me that this sort of suggestive advertising is on so early in the evening.’*

*‘Has our society sunk to such depths where it does not care about standards ? Do we not have some trouble with corrupted minds and depraved criminals... ? ...Can we improve as a society?’*

*‘...I also find (the advertisement) degrading to women.’*

## THE DETERMINATION

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

The Board, while acknowledging the complainants’ personal views, determined that the depiction of the snowman within the advertisement did not offend the Code on the grounds of its treatment of sex, sexuality or nudity nor did the advertisement’s portrayals of the women concerned constitute discrimination or vilification. The Board also determined that the advertisement did not depict material contrary to prevailing community standards on health and safety. The Board determined that the advertisement did not breach the Code on these or any other grounds and, accordingly, dismissed the complaint.

The Board, in reaching its determination, commended the advertiser’s voluntary decision, following

viewer complaints, to '(stop) running the advertisement in any further daytime programs' and only to run the advertisement 'in programs post 7.30 pm ...'