



CASE REPORT

1. Complaint reference number	124/09
2. Advertiser	Rozelle Rugs
3. Product	Rugs
4. Type of advertisement	Print
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Wednesday, 8 April 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This print ad for Rozelle Rugs is promoting a closing down sale. The top image is a picture of a young girl with heavy make-up around her eyes and the word “SALE” written across her face in red paint. The remainder of the poster contains pictures of many of the rugs for sale.

THE COMPLAINT

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

The ad uses a photographic image of girl (about 12years old) wearing heavy make up and a blank expression on her face. The girl looks like she is possibly from a third world country and has the word "SALE" written across her face in red paint. This is highly offensive and implies that the GIRL is for "sale" and has connotations of child trafficking, child prostitution and child pornography. The photograph on its own looks like it could be used by Amnesty International to highlight children's rights and child exploitation and is unrelated to selling rugs unless the manufacturer uses forced child labour. Does the advertiser have a model release form signed by the girl (or her guardian, if under 18) giving permission to use her likeness to advertise rugs in such a demeaning fashion?

THE ADVERTISER'S RESPONSE

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

Ad Explanation

Rozelle Rugs is a small company and has a modest advertising budget. We book quite big ad spaces and fill the space using very little money. Rebecca is a graphic designer and so takes all photographs and puts the ad together herself. We attempt to stimulate the reader by presenting our product beautifully. Occassionally we need to give the ad a fresh look. In putting these ads together we wanted to express the colour and vibrancy and put the tired word 'sale' on the page in a new manner. Our daughter is naturally inclined to colourful clothing and loves to paint her face and/or make up her face. We put the two together as we also wanted to humanise the ad and make it less static looking, she is 5 years old.

If you view the images provided of the shoot we intended to use the word wild. The ad was to have a wild look and we wanted our daughter to make a wild face, as she did. These wild shots were however difficult to use in the layout so we cropped the image tightly and chose a picture that contained a very clear 'SALE' word as this was very important.

No intention was made to portray our daughter in anyway other than fun, colourful and wild, as in wild/crazy sale.

Our appologies if offense was taken.

Addressindg Section 2 of The Code of Ethics.

This ad was directed to an adult audience and placed in media space that is read almost exclusively by adults (section 2.4).

The girl in the ad is 5 years old and the daughter of Rozelle Rugs owners, Farhad Nasre and Rebecca Lloyd. We clearly

have consent for these photos and their use. Our product is about pattern, colour (in ones home), lifestyle and human endeavour. The image of the girl expresses some of these elements, the colour on her face is not put on in a sexual manner, rather in a creative manner which also connects her to our rugs. Our rugs are made by people in various countries and we do not buy or support the production of rugs made using child labour, or adult labour thart is exploited. To the contrary we feel delighted that in the countries of production of our hand-made rugs the industry is a big source of work and economic independence for women.

The girl is not uncovered in any way and in no other fashion can we see this image as demeaning to her. There is no violence, ethnic reference, or disturbing content (section 2.1). The ad does not promote alcohol or the selling of food and drinks (section 2.8).

Upon reading the AANA Advertiser Code of Ethics, in particular section 2 we feel we have not breached the code.

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 complainant's concern that the advertisment is suggestive of child trafficking.

The Board noted the advertiser's response including the information that the child depicted is their own.

The Board considered that the advertisement is unfortunate in its use of the child next to teh sale text. However the Board considered that most members of the community would not consider that the advertisement was endorsing child trafficking or in any way exploiting or advocating the exploitation of children. The Board also considered that the advertisement did not sexualise the child or children and was not sexually suggestive. The Board determined that the advertisement did not breach section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.