



CASE REPORT

1. Complaint reference number	127/08
2. Advertiser	Big Flower Super Nursery
3. Product	House goods/services
4. Type of advertisement	Print
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Monday, 19 May 2008
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

Print advertisement of Big Flower Super Nursery advertising garden ware, pots, flowers and plants. The advertisement includes a photo of a naked female of ethnic background holding a bottle of wine, with a pot/vase poised on her 'bottom'.

THE COMPLAINT

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

I find the use of the naked female quite offensive for the product it depicts. Particularly as a family, general public garden centre.

THE ADVERTISER'S RESPONSE

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

We get some response - about 2 per year. We always respond to any complaints. But most people don't leave a telephone number and I am not always available. My daughter-in-law, the Genie, is an eye catcher. She is not sexy but beautiful. Please don't hide the beauty of women.

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 and reviewed the advertisement under Section 2.1 of the Code which deals with discrimination, in this case on the basis of sex or ethnicity, and also Section 2.3 which relates to the appropriate use of sex, sexuality and nudity.

The Board viewed the print advertisement and noted that the Board had previously reviewed this advertisement in April 2000 and had at that time dismissed the complaint.

The Board agreed that the image of the naked woman was gratuitous and irrelevant to the product being advertised. They further noted that the depiction promoted the commodification of women both on grounds of sex and ethnicity.

The Board struggled to make sense of the creative concept and the image of the 'genie'. However the Board did not consider the genie's nudity to be offensive rather that the image was irrelevant to the advertisement.

The Board also considered that the pot balanced on the woman's buttocks reinforced negative stereotypes on the basis of her ethnicity.

The Board considered that while this image may have been considered acceptable in 2000 this was no longer the case. The Board agreed that community standards have shifted over the eight year period since the Board's earlier determination.

The Board further considered that the Advertiser's response showed a lack of understanding about community standards in relation to the depiction of women.

Finding that the advertisement did breach the Code under Sections 2.1 and 2.3, the Board upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

No response has been received from the advertiser as at time of printing this report.