



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 133/02  |
| 2. Advertiser                 | ACP Publishing Pty Ltd (Cosmopolitan)           |
| 3. Product                    | Media   |
| 4. Type of advertisement      | Radio   |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination      | Tuesday, 11 June 2002                           |
| 7. DETERMINATION              | Dismissed                                       |

## **DESCRIPTION OF THE ADVERTISEMENT**

The radio advertisement opens with sounds of a woman saying “yes” repeatedly as if enjoying a sexual encounter. After the woman indicates her partner to be named Jessica, a female announcer says: “Bisexual sex confessions. Real girls tell us who has fantasized about it and who has acted on it. Plus there’s heaps of useful advice to try before you buy. It’s only in this month’s Cosmopolitan.” The advertisement ends with the announcer saying: “Make your world cosmopolitan.”

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*“What was unacceptable to me was...using the sound of a woman having an orgasm. Not two seconds later my 3yr old was repeating the sounds and words of the ad. Some people may find it funny but I don’t.”*

*“I was horrified at the lewd sound effects that were used at the start of the ad. I do not believe that it was appropriate at all, under any circumstances (although the time of day would have increased the number of children who would have heard it)...This is going way too far.”*

## **THE DETERMINATION**

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

While noting advice that the advertiser had been unco-operative in relation to the investigation of the complaint, the Board considered that under prevailing community standards most people would not find offence in the advertisement.

The Board determined that the advertisement did not contravene the provisions of the Code concerning the portrayal of sex, sexuality and/or nudity. Finding that the material did not breach the Code on any grounds, the Board dismissed the complaint.