



CASE REPORT

1. Complaint reference number	159/06
2. Advertiser	Wattyl Australia Group
3. Product	Housegoods/Services
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 9 May 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a can of Wattyl ID paint with a paint brush resting on top, and a newly-painted pink wall in the background. A naked baby appears from behind the paint can and crawls over to the wall and uses it for support to try to stand. A male voiceover announces “Wattyl ID is now smoother and easier to use...and it’s dry to touch in just 10 minutes. Wattyl on, Australia”.

THE COMPLAINT

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

The way the naked child stands up allows a brief view of her genitals. Why did they include a naked child in this AD when a clothed child would have been just as effective and the AD wouldn’t have been bordering on Child Pornography (complainant’s capitalisation)

THE ADVERTISER’S RESPONSE

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

The portrayal of the infant depicted in the commercial is both sensitive and non-sexual. The child’s genitals are not visually recognisable.

The portrayal of a naked child is relevant to the product promise of being “smoother and dry to touch in just ten minutes”. The portrayal of a clothed child would not be as effective in communicating the product advantage.

Wattyl had not considered the advertisement could offend in any manner.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”). In particular, the Board considered whether the portrayal of sex, sexuality or nudity was treated sensitively to the relevant audience and relevant programme time zone.

The Board noted that nudity was the only issue here, that there was no display of genitalia at all in the advertisement and that the portrayal of the baby was a socially acceptable portrayal.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.