



## **CASE REPORT**

1. Complaint reference number	166/07
2. Advertiser	Advanced Medical Institute
3. Product	Professional services
4. Type of advertisement	Radio
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3 Language – use of language – section 2.5
6. Date of determination	Tuesday, 12 June 2007
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This radio advertisement features a female voiceover stating "The blokes are embarrassed, the wives are upset, and the situation won't go away if you keep your head in the sand. Premature ejaculation? Problems with getting an erection? Nasal delivery technology has helped thousands of Australian men in the bedroom, who can't get a good erection, or arrive too early. If you have a problem with premature ejaculation, or maintaining an erection, call 1800 20 20 40. Call now. 1800 20 20 40."

## **THE COMPLAINT**

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

*These ads are not suitable for children to be hearing. I have 2 young girls one may know about erections and the other wouldnt, my friends also have younger children. These ads are being played all through the day and I am now having to explain to my young daughters what an erection is and what is ejaculation. I have also heard the ad in a bank and a supermarket. I understand these companies have a right to advertise, I also have a right to choose when I speak to my children about adult conditions. These ads are being played on most radio stations. Ads with explicite adult content should not be broadcast over public media where children can be exposed.*

## **THE ADVERTISER'S RESPONSE**

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

- (1) The ad does not breach any points under Section 2 of the AANA Code of Ethics;*
- (2) It does not discriminate against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief;*
- (3) The ad does not portray violence;*
- (4) It treats the subject matter (namely sexual dysfunction in men) with sensitivity to the relevant audience;*
- (5) The contents of the ads are not in any way explicit;*

## **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 need to treat references to sex, sexuality and nudity with sensitivity to the relevant audience.

The Board noted that the product advertised is a sex-enhancement product and that products of this nature are able to be advertised. The Board noted that some members of the community might find the references to premature ejaculation and erection tasteless and confronting however these are well

known and legitimate terms. The Board determined that the sexual references in the advertisement, whilst confronting to some members of the community, was not so offensive that it warranted removal from the air.

The Board also considered whether the language used in the advertisement was appropriate in the circumstances. The Board noted that the advertisement did not use any strong or obscene language, and that, in the context of the product advertised, that the language was not inappropriate. Finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.

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