



CASE REPORT

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| 1. Complaint reference number | 172/08 |
| 2. Advertiser | Bronzed Brazilian |
| 3. Product | Professional 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 | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The print advertisement features a large amount of text outlining cosmetic procedures, testimonials, prices and contact details for the business. The advertisement also includes five photographic images. The first photograph is of the torso of a man and a woman standing back-to-back. They appear to be naked and the woman's right breast can be seen on profile. The second photo is a close-up of a woman's eye with make-up applied. The third photograph is of a woman's head, shoulders up. The fourth is of a muscular, well defined male torso. The final photograph is of a naked woman from ankle to neck. The woman is standing angled front to camera. One arm is placed across her breasts - obscuring most of the breasts. The other hand has been placed across her pubic area, again obscuring any detail.

THE COMPLAINT

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

These close-up photos are titillating and unnecessarily sexual. It is not necessary to advertise beauty treatments by showing close-ups of breasts and pubic areas slightly obscured but practically naked bodies. The fact that the ads are large and in full colour make it very eye-catching for all members of the family -- especially given the fact that it is advertised in a free community paper delivered into every home for any family member to access.

The final straw came when a family member made a comment that the ad showed a picture of a woman masturbating. I can see why they would have thought that. The advertisers are clearly drawing attention to the woman's pubic area -- I would assume this is because they are wanting to attract those who are interested in getting a "Brazilian" hair removal treatment - although that is not exactly clear in the ad. Regardless of the advertisers intent - in my mind it is unacceptable that they should advertise this graphically in a free community paper reaching people of all ages when their service is targeted at a select adult population group.

THE ADVERTISER'S RESPONSE

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

The complainant starts by stating Bronzed Brazilian print adverts have run almost weekly in the Bayside Bulletin & Redland Times (both are Rural Press publications that are only distributed in the Redland Shire...ie local papers) in almost every weekly edition this year. I must point out that Bronzed Brazilian has never advertised with the Redland Times since we began operating 2 ½ years ago. In regard to the Bayside Bulletin, we have run 3 adverts so far this calendar year (approx 1 every 6 weeks) We have also advertised 3 times with a Rural Press monthly magazine (D'Fine Magazine) which again is only distributed in the Redlands area.

(I will also point out that the Bayside Bulletin offers to run our adverts at a discounted rate if they are able to use our D'Fine adverts in their paper. This means that the adverts in the Bulletin & D'fine have been identical)

We also advertise in other publications throughout the greater Brisbane area. These include the Wynnum Herald & S.E.Advertiser – both are Quest Newspapers, Bayside Weekly, Style Magazine, Q-News etc. All of the above are Free Community publications.

Our advertisements have always used the images in question, and over the last 2 ½ years, this is the only complaint that I have had, or have been made aware of. Considering that our advertising has covered most of the Southern & Eastern suburbs of Brisbane without any complaints before, I was a little shocked when I received the details of the complaint made against Bronzed Brazilian in May.

The image featured on the right (next to the Bronzed Brazilian name) on ALL of our advertising is part of our company logo / image, and as such is featured on all our shop signage, our price lists & business cards, our sponsorship banners (which we display at junior football clubs & schools when we sponsor events or donate prizes for their fund raising....again without any complaints!) and of course all of our print advertising. This image also appears in our Yellow Pages advertising (and we know how strict they are with their advertising / image guidelines!)

The image the complainant seems to have the most objections to is the full length image of a woman that we use when advertising our waxing & permanent hair reduction services. Again this image has been used in all of advertising for the past 2 ½ years without any other complaints. I don't believe that it over steps the mark, nor do I believe that it is titillating & unnecessarily sexual as the complainant comments. The complainant also states that we are "clearly drawing attention to the woman's pubic area". How they came to this conclusion on the image in question....I don't know. If we had just used a cropped image of a woman's pubic area & nothing else, then I might agree, but to draw this conclusion from the images that we use is beyond me.

The comment the complainant finishes with that "the ad showed a picture of a woman masturbating" is laughable & can't be taken seriously. This final comment put an entirely different light on the complaint, and makes the whole thing look petty & frivolous. They must have studied the image they found so offensive for a very long time to come up with a comment so blatantly false.

Bronzed Brazilian has won 5 Industry & Service awards in our first 2 ½ years of business and our advertising does have something to do how successful we have been. We were recently awarded an "Industry Development Award" from the Qld State Government, and the images in question were shown on the big screens on the night when we were presented with our award. We didn't receive any complaints then either!

I'll finish by saying the entire Beauty Industry is about making people look & feel good about themselves & their bodies. Unfortunately there will always be those in our community with a puritan outlook on life who decide to take on the moral guardianship for the rest of the community, who, are quite happy living in the time we are in presently.

THE DETERMINATION

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

The Board reviewed the print advertisement under Section 2.3 of the Code which deals with the portrayal of sex and nudity.

The Board noted this advertisement was for cosmetic treatments across all areas of the body and that several of the pictures in the advertisement were demonstrating the types of treatments offered.

They further noted that the images were of both men and women.

The Board did not consider the images to be titillating or graphic and noted that in the shot of the naked female the model used her hands and arms to cover her breasts and pubic area.

The Board considered that these images were appropriate in the context of the product being

advertised.

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