



## **CASE REPORT**

1. Complaint reference number	173d/06
2. Advertiser	Advanced Medical Institute (special cuddles)
3. Product	Professional services
4. Type of advertisement	Radio
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 9 May 2006
7. DETERMINATION	Upheld – discontinued or modified

## **DESCRIPTION OF THE ADVERTISEMENT**

This radio advertisement features a male voice advising “This commercial lasts about 30 seconds, unfortunately so do some of us blokes. If premature ejaculation is putting an end to your special cuddles, or you’re having problems keeping it up longer, it might be worth sticking something up your nose. Nasal delivery technology can turn (a woman’s sighs are heard) “ugh” into “Aaaahhhh”, so you’ll feel like one of the boys again. So call AMI for nasal delivery technology on 1800 40 60 60.”

## **THE COMPLAINT**

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

*...if your performance only goes for 3 minutes then give us a call....I find it hard to discuss topics like ejaculation with children that are 6 yrs old and 10 years old.....the information that they are giving in these ads are to (sic) explicit....*

*It was saying premature ejaculation is a failure, sounding like men are failures if they ever have this problem.*

*I do not believe that men who are having difficulty need to hear women imitating the throes of sex to understand their needs.*

## **THE ADVERTISER’S RESPONSE**

The advertiser failed to respond to the complaint.

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breached section 2 of the Advertiser Code of Ethics (the “Code”). In particular, the Board considered whether this advertisement portrayed sex or sexuality with insensitivity to the relevant audience and relevant programme time zone.

As the advertisement was a radio advertisement, the Board noted that there were no programme listening time classifications that existed. The Board further noted that the advertisement had been heard right through the day. The Board considered that the language used in the advertisement and in particular the use of ‘special cuddles’ represented language used by children and that as a result the advertisement was inviting kids listening to the advertisement to ask parents what the advertisement was about and that parents may feel uncomfortable about having to explain the advertisement. If the advertisement had only been broadcast after 8.30 at night on the relevant radio stations, the Board considered that the portrayal of sex and sexuality in the advertisement would not have offended the Code. However, given that the advertisement could and was broadcast at all times of the day or night, the portrayal of sex and sexuality was inappropriate considering that the audience listening to the

advertisement may include children. The Board therefore upheld the complaint.

**ADVERTISER'S RESPONSE TO DETERMINATION**

*I have checked with our General Manager who has also confirmed that these ads have not been run for some months now.*

*I will check that they haven't slipped up on one of the regional stations which is a possibility. I will instruct all stations nationally not to use either of the attached and to delete any copies from their logs.*