



CASE REPORT

1. Complaint reference number	184/07
2. Advertiser	Jamba! GmbH (Jamster Sexy Ring Tones)
3. Product	Mobile phone/SMS
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 10 July 2007
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement for mobile phone downloads features various video clips of singers performing songs, and visuals of women in gym gear exercising and doing aerobics.

THE COMPLAINT

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

It contained numerous images of women with scanty covering, and camera angles aimed at their crotch and buttocks.

It is evident that the advertisement has indeed portrayed women in a way that discriminates against women/mothers for sexual preference and purposes; vilifies women in general through such blatant acts of flaunting sexuality and nudity; and implicates men who are portrayed as accepting sexualised behaviour by women as normal, safe and related to family events. Apart from children there were other adults watching the program who were offended and shocked by the pornographic display.

THE ADVERTISER'S RESPONSE

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

A response had not been received from the advertiser at the time of determination.

THE DETERMINATION

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

The Board considered the images depicted in the advertisement and noted that the images are all excerpts from video clips and music clips that are likely to be shown on television. In any case the Board considered the images and noted that the images were of women in various types of clothing including swimwear and exercise wear. The Board noted that the women were not naked and that there was no nudity in the advertisement. The Board considered that the depictions of dancing were not inappropriate to the likely audience for this product.

The Board determined that the advertisement did not breach section 2.3 of the Code. The Board also considered that the representations of the women were not demeaning to women or in any way vilifying or discriminatory. The Board also considered that indicating that men were the target audience for this product was not vilifying of men. The Board determined that the advertisement did

not discriminate against or vilify either men or women and did not breach section 2.1 of the Code.

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