



CASE REPORT

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| 1. Complaint reference number | 230/04 |
| 2. Advertiser | JD Designs & Enterprises (Pert backless undies) |
| 3. Product | Clothing |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 14 September 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement depicts different scenes of girls wearing either normal G-strings or Pert backless undies. The girls were filmed from behind and those wearing G-strings, their underwear could be seen from above their jeans whereas those girls wearing Pert backless underwear did not reveal their underwear above their jeans.

THE COMPLAINT

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

“I personally was disgusted with the ad but more irate that it was being shown in children’s viewing time and as it was very offensive.”

THE ADVERTISER’S RESPONSE

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

“The commercial for Pert-backless brief I believe was produced in a professional and tasteful manner and at no times does any form of nudity appear on the commercial.”

“I believe the advertisement does treat nudity with the sensitivity to the relevant audience this is targeted at (15 to 50 year olds) .”

THE DETERMINATION

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

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of sex/sexuality/nudity.

The Board requested that the Advertising Standards Bureau inform FACTS that the advertisement was aired at a time slot not consistent with its classification.

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