



CASE REPORT

1. Complaint reference number	241/08
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
6. Date of determination	Wednesday, 9 July 2008
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

FV: Premature Ejaculation, Erectile Dysfunction!
FEM VOC I want you to satisfy me
VO You used to be a “Stud in the Sack” but lately you’ve become a Dud?
FEM VOC: Please satisfy me
Talk to AMI’s doctors now because Nasal Delivery Technology COULD help you last longer!
FEM VOC: With AMI you can satisfy...
VO: Call 1800 40 20 20
FEM VOC: Me
FV: AMI 1800 40 20 20

THE COMPLAINT

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

I strongly believe that this company need to address their methods of advertising, or at least only advertise after hours, as many people including children listen to the radio each day. Under section 2.3 of the Code, this ad is vulgar and sexually explicit.

THE ADVERTISER’S RESPONSE

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

The ad does not breach Section 2 of the Code - I cannot see how this ad breaches any of the issues raised under s2.3 - the ad is not in any way vulgar or sexually explicit. The ad does not use any obscene language or content.

We submit that the ad complies with the Standards as set by the AANA.

THE DETERMINATION

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

The Board noted the complainant's' concerns and reviewed the advertisement under section 2.3 of the Code which deals with sex, sexuality and nudity and Section 2.5 which deals with the use of language.

The Board listened to the radio advertisement and noted that it poses an explicit question that only

adults will understand.

The Board acknowledged that this type of advertisement may make members of the audience uncomfortable and that this particular advertisement sought to couch it in terms that were acceptable to the target audience.

The Board noted the advertisement used catchy music and language to address a problem that men suffer.

The Board considered the content of the advertisement to be straightforward and inclusive of a broad demographic.

The Board further considered that the language and themes used in this advertisement whilst being acceptable were at the upper level of what the community would consider acceptable.

The Board therefore determined that the advertisement was not in breach of Section 2.3 or 2.5 of the Code.

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