



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 256/04  |
| 2. Advertiser                 | Keysun Laboratories (Lentheric 41)              |
| 3. Product                    | Toiletries                                      |
| 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 a semi naked female lying on a bed and experiencing the “peak of passion/orgasm.”

## **THE COMPLAINT**

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

*“I found the content of this advertisement offensive as it was quite sexually explicit and not suitable for television advertising.”*

*“These adverts are overtly sexual and offensive to those who hold moral standards.”*

*“I found these to be very offensive and extremely suggestive.”*

## **THE ADVERTISER’S RESPONSE**

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

*“Please note that this advertisement has received approval for viewing after 8.30pm as it has adult themes. This is the relevant programme time zone for this type of material.”*

*“We believe that the advertisement treats the subject of sex and nudity with extreme sensitivity. The visuals don’t actually show any explicit body parts and the sound has been engineered to be provocative without being offensive. The overall effect is suggestive but suitable for the programme time zone which it has been placed in .”*

## **THE DETERMINATION**

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

Although the Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of sex/sexuality/nudity, the Board expressed concern about the time zone in which this advertisement was shown. The Board requested that the Advertising Standards Bureau write to FACTS and express this concern. Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.