



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 276/99  |
| 2. Advertiser                 | Warner Music Aust Pty Ltd (Red Hot Chili Peppers CD - 'Californication')  |
| 3. Product                    | Entertainment   |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3<br>Language – use of language – section 2.5<br>Health and safety – section 2.6<br>Other - Miscellaneous |
| 6. Date of determination      | Tuesday, 10 August 1999   |
| 7. DETERMINATION              | Dismissed   |

## **DESCRIPTION OF THE ADVERTISEMENT**

The television advertisement consists of a number of excerpts from music video clips from the album 'Californication' by the Red Hot Chili Peppers, with voiceover saying the title and listing some of the songs on the album. During this, one of the songs is played with lyrics including the words 'scar tissue that I wish you saw' and which are superimposed at the foot of the screen.

## **THE COMPLAINT**

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

*"The name of the album/CD 'Californication' subliminally sends message of sex via 'Fornication' with added reference to drug use ... This ad is extremely offensive, particularly with it being aired during cartoons for kids."*

## **THE DETERMINATION**

The Advertising Standards Board ('the Board') considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics ('the Code').

The Board determined that use of the word 'Californication' was not inappropriate in the overall context of the advertisement, particularly given the fact that it was the title of the album being promoted. The Board further determined that the advertisement did not contain any other material that would offend prevailing community views and standards and did not breach the Code on any other ground. The Board, accordingly, dismissed the complaint.