



CASE REPORT

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| 1. Complaint reference number | 299/09 |
| 2. Advertiser | Statewide Steel |
| 3. Product | Hardware/machinery |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 8 July 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This TVC for Statewide Steel commences with the image of a young woman, visible from the waist up, wearing a cap and “hi-vis” workshirt. She is standing in front of a shed with Statewide Steel signage.

The voice over says “Are you looking for a (beep) great deal on steel? At statewide steel, we specialize in reinforcing steel. We schedule, estimate, cut and bend. Whether it is mesh for a house slab or three thousand tones for a mine site, no job is too big or too small. Statewide Steel has its own road train, operating twenty four hours a day, seven days a week, delivering reo to sites all over this great State. So don’t deal with companies in Perth, keep it in the bush. Contact Statewide Steel for all your reo needs. Statewide Steel, we keep the other (beep) honest.

The commercial shows various scenes and images, some featuring the young woman that support the script.

THE COMPLAINT

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

It is extremely derogatory to women.

The advertisement featured a woman with large breasts and a low cut top- it was obviously aimed at men but the woman had nothing to do with the product being advertised. I found the advertisement to be sexist and demoralizing to women.

THE ADVERTISER’S RESPONSE

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

Our TV advertising have all been approved by the Australian Advertising standards Board and we have been issued the following CAD No’s with a CAD “w”rating just as previous ads

DF0269STA - CAD NO: WQ5D6ROA

DF0268STA - CAD NO: WQ5D7ROA

We have reviewed section 2 of the AANA advertiser Code of Ethics, and believe there is no case to answer.

The young lady in the Ad is appropriately attired under OH & S standards. The assumption that women are not involved in the steel industry is quite false. There is nothing in the code of practice

about being pretty or standing around in a steel company.

Dragonfly Media will be sending a copy of the TV Advert.

Our Advert appears both on GWN and WIN TV, in Western Australia Only.

On behalf of Dragonfly Media I would like the opportunity to comment of the complaint received by our client Statewide Steel.

Statewide Steel is an equal opportunity employer and they have many female staff members that contribute to the everyday running of the business.

The model contracted to participate in the commercial is fully clothed in the Statewide Steel uniform which consists of high visibility clothing and steel capped boots. She is merely appearing in the commercial to create a point of interest for the target market of men aged 25+. The model does not handle any of the materials and is simply demonstrating the product in non-sexual way. The model is busty and as far as I know there is no law about being pretty or having large breasts. There is the smallest amount of cleavage being shown. I believe that you would see more cleavage on an evening news presenter than you see in this commercial.

In reading the Code of Ethics, the model in the commercial is not being sexual in any way, she is not acting in an inappropriate manner, such as being suggestive or lewd. The ad has been rated by the Commercials Advice Department with a "W" rating which limits the placement of the commercial to sport or late night time slots.

I honestly can not see any reason for this commercial not to continue on air.

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 application of Sections 2.1 (discrimination and vilification), 2.3 (sex, sexuality and nudity), 2.5 (language) and 2.6 (health and safety).

The Board considered whether the advertisement depicted material contrary to prevailing community standards on health and safety. The Board noted the woman depicted in the advertisement does not use any equipment and is not inappropriately dressed. The Board therefore determined the advertisement was not contrary to prevailing community standards of health and safety and not in breach of Section 2.6.

The Board noted that the advertisement 'beeps' out some words and that there are no distinguishable swear words or strong language used. The Board therefore determined there was no breach of Section 2.5.

The Board considered whether the depiction of the woman in the advertisement was discriminatory or vilifying on the basis of gender. While the Board considered the depiction objectified the woman, it did not consider this was discriminatory to women generally.

The Board then considered whether the depiction breached Section 2.3, relating to sex, sexuality and nudity. The Board noted that, although wearing a low cut top the woman was not depicted in an overtly sexualised manner and that there was no breach of section 2.3 of the Code.

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