



CASE REPORT

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| 1. Complaint reference number | 313/04 |
| 2. Advertiser | Simon de Winter (Kayser Brazillian) |
| 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, 9 November 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a woman getting dressed for a Brazilian themed party. She leaves her apartment wearing a top and a pair of Kayser Brazilian underwear.

THE COMPLAINT

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

“Viewers are subjected to the view of this young womans backside for a significant portion of the ad and I found it very offensive as the level of nudity and ‘feel’ of the ad portrayed was completely inappropriate for the time slot.”

THE ADVERTISER’S RESPONSE

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

“Simon de Winter Pty Ltd believes that this advertisement does not contravene any advertising standards and is a tasteful commercial displaying and promoting our product.”

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 that in the context of prevailing community standards, the majority of people would not find this advertisement offensive.

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

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