



CASE REPORT

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| 1. Complaint reference number | 323/04 |
| 2. Advertiser | L'Oreal Australia Pty Ltd (L'Oreal Paris Lipstick) |
| 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, 7 December 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a female model who demonstrates the use and tattoo effect of the new L'Oreal Paris Invincible Kissproof lipstick by kissing a male and eating grapes.

THE COMPLAINT

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

“The ad is really, in my view, a bit of soft porn.”

“These ads to my way of thinking are entirely unsuitable for this age group and other kids up to the age of 16 or so.”

THE ADVERTISER'S RESPONSE

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

“We believe that the content meets with the guidelines detailed in Section 2 of the AANA Advertiser Code of Ethics and is not inappropriate.”

THE DETERMINATION

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

The Board was of the view 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.