



CASE REPORT

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| 1. Complaint reference number | 333/09 |
| 2. Advertiser | Solarhart Hot water |
| 3. Product | House/goods services |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 22 July 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This Television commercial depicts a woman showering under a rainforest waterfall. The woman is visible from the waist up. The camera angle shows the woman's back.

Male Voice over "When Lisa's water heater broke down there was no hot water. No hot showers. Know who she called?."

Solarhart dealer "Solahart had her back in hot water in 24 hours" "Right now you can make big savings on the cost of an Australian made Solahart solar water heater, thanks to generous Government incentives."

LISA "Our Solahart helps us save heaps on our energy bills and reduce our carbon footprint."

Male Voice over "Call Solahart now. Solahart Hot water Free from the Sun."

THE COMPLAINT

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

Due to the obvious and not tastefully or sensitively done nudity in this ad (the shot of the side of the woman's naked breast while in a shower), this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code"). This advertisement portrays sexuality with insensitivity to the relevant audience and relevant programme time zone.

This advertisement was viewed at 11am. Given that the advertisement was broadcast during the day, the portrayal of sexuality is inappropriate considering that the audience watching the advertisement may include children. It is inappropriate and the extent of the nudity is not essential in the advertising of this product. Showing the side of the woman's breast on day time television has gone too far. It is inappropriate and irresponsible advertising on behalf of the advertisers.

THE ADVERTISER'S RESPONSE

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

This ad, with CAD approval GQAOEHEA, is part of a series that we have been running for over four years comparing the benefits of solar hot water with showering in a rainforest waterfall with water heated naturally from the sun. In no way is the depiction of the woman in the shower sexual, she is enjoying the feeling of showering free and natural.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches of Section 2.3 of the Code, relating to sex, sexuality and nudity.

The Board acknowledged the complainants concerns, that the woman is naked with her back to the viewer and that the side of her left breast is revealed which is inappropriate and the extent of nudity is not essential in advertising the product. The advertisement later switches to the shot of two men on top of a roof, wiping down a solar hot water system.

The Board observed the advertisement which is portrayed in a natural setting with the woman shown showering in the rainforest, where the heat of the natural sun warms the water. The woman was displayed in a sensitive manner with no undue focus on any parts of her body and was not sexually suggestive. The Board found that the fact that the advertisement later switches to two work men, who are on top of a roof and installing a solar hot water system was clearly to show the viewer of what a solar hot water system would look like and was not depicted in a sexualized manner.

In finding that there was no depiction of, or reference to, inappropriate sex or nudity, the Board therefore found no breach of Section 2.3 of the Code.

The Board dismissed the complaint.