



CASE REPORT

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| 1. Complaint reference number | 348/06 |
| 2. Advertiser | Simon de Winter (Kayser) |
| 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, 12 September 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on an image of a naked blond woman floating slowly against a black background with stars in the background. As she moves position, her breasts and pubic area are obscured with lights. The camera then focuses on her breasts, but nipples are obscured with a white glow. A red bra then appears to cover her breasts and she moves to show off the bra, with the lights still obscuring her pubic area.

THE COMPLAINT

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

The positioning of the lights aren't sufficient in hiding the fact that she is nude... it is blatantly obvious that she is fully exposed and that she is not wearing any underwear at all.

...it borders on soft porn

...inappropriate level of sexuality and nudity

I think it degrades and cheapens a young woman's sexuality

It has the potential to cause or exacerbate low self esteem in young adolescent females

It looks like soft core on TV, and is unnecessary to show a completely naked woman lying prone.

Unnecessary portrayal of nudity, woman as sexual object

A lot of nudity and a woman moving in a very sexually explicit and suggestive way.

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 believe that this advertisement accurately portrays the product that we are promoting. Women's underwear needs to be displayed on the body to accurately represent the type of product we are selling.

We believe our Kayser TVC achieves this in a tasteful manner that does not denigrate women and our company employs approximately 90% women who contribute their opinions to all our marketing concepts.

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 this TVC is rated PG and that care should be taken when placing it in cartoon and other child appeal programs.

The Board noted that, although the woman is obviously naked, at all times in the advertisement her genitals and breasts are covered by the lights. The Board considered that, apart from the nudity, there were no sexual overtones to the advertisement – rather the woman displayed delight at a nice bra.

The Board considered that the nudity in the advertisement was treated with sensitivity to the relevant audience and the PG time zone.

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