



CASE REPORT

1. Complaint reference number	348a/06
2. Advertiser	Simon de Winter (Kayser Very Sexy Bra – M rating)
3. Product	Clothing
4. Type of advertisement	Transport
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 10 October 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:

It looks like a pornography clip...I also find it degrading of women.

I don't feel that a naked woman rolling around touching herself and being very suggestive is needed or appropriate.

...gratuitous amount and duration of nudity, in addition to the "modesty"/censorship device used by the porn industry to hide graphic material. For example, the glow on genitalia.

We have to question how this type of sexual portrayal of women effects (sic) the developing self esteem of young girls viewing these ads.

Nudity, not a realistic women's (sic) body very skinny, massive breasts.

To me the ad is soft core pornography.

The ad portrays women as "sex objects".

This ad is aimed at men not women. It serves to do nothing but humiliate, objectify and degrade women.

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 advertisement is an M-rated version of the same (PG-rated) advertisement considered at the September 2006 Board meeting.

The Board noted that the only visible difference between the two advertisements is slightly less lighting and stars covering the relevant parts of the female’s body, however there were still no images of nipples and genitals.

Hence in line with its determination from September, 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 M time zone.

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