



CASE REPORT

1. Complaint reference number	353/00
2. Advertiser	Mildara Blass Ltd (Red Shiraz)
3. Product	Alcohol
4. Type of advertisement	Print
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 13 February 2001
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement depicts a car stalled at traffic lights. The driver, a mature-aged woman, exchanges glances with a cyclist who draws alongside. When the lights turn green he rides off, leaving her expressing frustration. To shots of the car entering a Pacific Service Centre, the woman being attended to and a mechanic at work, a voiceover describes the advertiser's service and locations. The advertisement concludes with the cyclist waiting at traffic lights, the woman stopping alongside and giving him a satisfied glance. When the lights turn green, she accelerates away in a cloud of exhaust fumes, and gestures with an upward movement of her index and third fingers. The cyclist stands at the lights, hands on hips.

THE COMPLAINT

Comments which the complainants made regarding this advertisement included the following:

We think it is disgusting to show such a sexually implied gesture. We teach our children not to make rude signs, and there it is assaulting us and our children on a public forum.'

'I do believe that this is unexceptable (sic) for television and in the eyes of our local Police if that did happen on the road it is a breach of the law and classed as offensive behaviour in a public place.'

THE DETERMINATION

The Advertising Standards Board ('the Board') considered whether this advertisement breaches Section 2 of the AANA Advertiser Code of Ethics ('the Code').

The Board was of the view, in light of the humorous intent of the advertisement, that the material within it did not contravene prevailing community views and that the advertisement did not breach the Code on any ground. The Board, accordingly, dismissed the complaint.