



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 374/03  |
| 2. Advertiser                 | Dr Daniel Fleming                               |
| 3. Product                    | Professional Services                           |
| 4. Type of advertisement      | Print   |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination      | Tuesday, 11 November 2003                       |
| 7. DETERMINATION              | Dismissed                                       |

### **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement depicts two photographs, one showing a full view of a woman's breasts before treatment, and the other, after having implants, with the nipples covered.

### **THE COMPLAINT**

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

*"...the after shot has the nipple area blocked out but the other doesn't."*

*".... do not feel this kind of photographic advertising is appropriate for general reading."*

### **THE ADVERTISER'S RESPONSE**

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

*"I believe the material to be appropriate for the advertising of breast implant surgery."*

### **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 the advertisement was not inappropriate for the subject matter being advertised.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of sex, sexuality or nudity.

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