



## **CASE REPORT**

1. Complaint reference number	395/06
2. Advertiser	Advanced Medical Institute
3. Product	Professional services
4. Type of advertisement	Radio
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Tuesday, 10 October 2006
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This radio advertisement features a male advising “One of a guy’s worst fears is to be ordinary in the bedroom. So if you’ve got a girlfriend, boyfriend, wife, or you’re planning on having a fling, you’d wanna give an award-winning performance. If you’re arriving prematurely or you’re only lasting a minute or so, you’re not weird, you’re not even unique, it happens to the best of us. So call AMI for their nasal delivery technology 1800 50 70 70 – stick it up your nose and up it goes. 1800 50 70 70.”

## **THE COMPLAINT**

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

*Why must it mention gays and suggest that it is normal and healthy for men to have flings!*

*This ad manages to make something very special and loving between two people sound like a game of sport.*

*I’m a 15 year old girl and the vulgar language in this ad, the way it makes men and boys sound (like they sleep with anyone and everyone) makes me scared at the thought of having anything to do with them.*

*I’m sure there are some good, healthy minded men out there who would be very upset with the way they are portrayed in this ad.*

## **THE ADVERTISER’S RESPONSE**

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

*AMI do not discriminate against homosexuals, and make reference to heterosexuals and homosexuals in their ad.*

*The ad is aimed not just at married people but also at single people who may or may not be in a serious relationship.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board considered whether the advertisement contravened the sections of the Code dealing with vilification/sexual discrimination.

The Board determined that referring to the problem of premature ejaculation of itself does vilify or discriminate against men.

The Board then considered whether the advertisement treated the matter of sex sensitively. The Board noted that the product advertised is a sex enhancement product and that products of this nature are able to be advertised. The Board noted that some members of the community might find the last line of the ad (“stick it up your nose, and up it goes”) tasteless. The Board determined that the sexual references in the advertisement, whilst confronting to some members of the community, was not so offensive that it warranted removal from the air.

The Board also noted the complainant’s concern about the possible reference to homosexual sex in the advertisement. The Board considered that the reference to sex between men was subtle, as was the reference to infidelity and sex outside marriage. The Board considered that such references were not inappropriate and were sensitive to the potential audience.

The Board also considered whether the language used in the advertisement was appropriate in the circumstances. The Board noted that the advertisement did not use any strong or obscene language, and that, in the context of the product advertised, that the language was not inappropriate.

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