



**ADVERTISING  
STANDARDS  
BUREAU**

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## **CASE REPORT**

- |                               |   |
|-------------------------------|---|
| 1. Complaint reference number | 406/99  |
| 2. Advertiser                 | Windsor Smith Pty Ltd                           |
| 3. Product                    | Clothing  |
| 4. Type of advertisement      | Outdoor   |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination      | Tuesday, 7 December 1999                        |
| 7. DETERMINATION              | Dismissed                                       |

## **DESCRIPTION OF THE ADVERTISEMENT**

The outdoor billboard advertisement contains the words ‘lipstik’ and ‘Myer’, the images of a number of shoes and a photograph of a man wearing a pair of swimming briefs and holding a shoe at groin level.

## **THE COMPLAINT**

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

*“The positioning of the shoe he is holding is such that when viewed from any angle it portrays a penis ... I find this offensive and in very poor taste.”*

## **THE DETERMINATION**

The Advertising Standards Board (‘the Board’) considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board was of the view that the depiction of the man within the advertisement did not contravene community standards in its treatment of sex, sexuality or nudity and did not breach the Code on this or any other ground. The Board, accordingly, dismissed the complaint.