



CASE REPORT

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| 1. Complaint reference number | 428/03 |
| 2. Advertiser | L'Oreal Australia Pty Ltd (Emporio Armani) |
| 3. Product | Toiletries |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 9 December 2003 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement depicts a young man and young woman in various poses kissing each other in a stairwell and making suggestive contact.

THE COMPLAINT

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

“When I saw the advert I felt that it was too openly sexual and in young people’s faces. Little kids could watch it because it is on early. I feel that I don’t need to see so much sexual stuff on television all the time. I get sick of how sex is used to openly to sell products.”

THE ADVERTISER’S RESPONSE

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

“Our media agency were (sic) aware of the rating restriction on the TV commercial and only booked spots within the specified time periods allowed.”

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 the advertiser’s response and therefore found that the depiction did not contravene the provisions of the Code relating to portrayal of sex/sexuality/nudity.

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