



CASE REPORT

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| 1. Complaint reference number | 445/99 |
| 2. Advertiser | Filatex Pty Ltd (Gucci Envy for Men & Women) |
| 3. Product | Toiletries |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 8 February 2000 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The outdoor advertising poster comprises a photograph of an apparently naked man and woman in an embrace. The man's torso is shown with the woman kissing his chest and, at the foot of the photograph, her right arm is extended downwards between their two bodies. A small image of the product is superimposed over the photograph, together with the words 'Gucci Envy for men and women'.

THE COMPLAINT

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

"In the shadows between the man and woman's lower abdomen is what looks like the airbrushed image of the man's erect genital ... It is not necessary to be so graphic in the depiction of sexual arousal to promote this product."

"The girl (younger than my daughter) gives him a head job, or is about to do so. Does this mean condoning paedophilia?"

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 couple 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. In reaching this decision, the Board noted that the element of the photograph that had attracted specific complaint was not, in fact, the man's penis but the woman's forearm. The Board also considered that the woman in the advertisement did not have the appearance of being under-aged.