



CASE REPORT

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| 1. Complaint reference number | 452/08 |
| 2. Advertiser | Statewide Steel |
| 3. Product | Hardware/Machinery |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1
Portrayal of sex/sexuality/nudity – section 2.3
Language – use of language – section 2.5
Health and safety – section 2.6 |
| 6. Date of determination | Wednesday, 26 November 2008 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

This TV advertisement shows a young woman wearing a hard hat, short shorts and cropped singlet top using a blow torch and a mechanical cutting implement, carrying a long steel rod and driving a fork lift while a voice over states "Do you want a super quick deal in steel? Then stop holding your Dick Johnson and come down in your Four Old Rusty Doors to see Statewide Steel for all your steel needs..."

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

Aside from the fact that they chose a model with her boobs and stomach hanging out to advertise steel products, and she's operating machinery in a hardhat and heaps of cleavage - all that aside - what really offends me is that Voice Over which states: Stop holding your Dick Johnson and get down to Statewide Steel. It's just the lowest, most crass form of advertising. Get a pair of boobs to promote your product then fill it with innuendo and references to penises..Real classy.

THE ADVERTISER'S RESPONSE

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

Our TV advertising have all been approved by the Australian Advertising standards Board and we have been issued CAD No's WNXL1ROA and WOOFAROA. This led us to believe we had met all the required standards.

As the Aussie Rhyming slang is such a common part of our culture and generally accepted by the public, we believed viewers would be amused. We did not set out to offend any viewer.

The young lady in the advert, we believe, is adequately attired and certainly doesn't have body parts "hanging" out. This same Advert has been running since early 2007 with different voice-overs.

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 the application of Sections 2.1 (discrimination and vilification), 2.3 (sex, sexuality and nudity), 2.5 (language) and 2.6 (health and safety).

The Board considered whether the advertisement depicted material contrary to prevailing community standards on health and safety. The Board considered that the woman depicted in the advertisement was inappropriately dressed for the activities undertaken, including using a blow-torch, carrying steel materials and operating heavy machinery. The Board considered the depiction was contrary to occupational health and safety standards. The Board therefore determined the advertisement was contrary to prevailing community standards of health and safety and in breach of Section 2.6.

The Board considered whether the language used in the advertisement was appropriate in the circumstances. The Board noted that no strong or offensive language was used and that any sexualised language was in a slang context. The Board therefore determined there was no breach of Section 2.5.

The Board also considered whether the depiction of the woman in the advertisement was discriminatory or vilifying on the basis of gender. While the Board considered the depiction objectified the woman, it did not consider this was discriminatory to women generally.

The Board then considered whether the depiction breached Section 2.3, relating to sex, sexuality and nudity. The Board noted that, although scantily attired, the woman depicted was fully clothed and was not depicted in a sexualised manner. However, the Board considered that the reference to "holding your Dick Johnson", when considered together with the images of the briefly attired woman, could be interpreted in a sexual context. The Board considered this was not dealt with sensitively and therefore determined the advertisement breached Section 2.3 of the Code.

The Board therefore upheld the complaints.

ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

Please be advised GWN and Win television have been requested to discontinue using this advert.