



CASE REPORT

- | | |
|-------------------------------|---|
| 1. Complaint reference number | 49/07 |
| 2. Advertiser | Jamba! GmbH (Jamster Buxom Babes) |
| 3. Product | Mobile phones/SMS |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 13 March 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a female voice over detailing downloads for mobile phones. "Get Summer's hottest girls on your mobile, it is oh so easy baby! Simply subscribe and text babe 21 to get Natascha in her tiny blue panties (a blonde woman with her back to the viewer is wearing only briefs and pulling them up and down, with stars covering her breasts and buttocks). Or do you prefer a hot and sweaty Summer treat? (a woman's barely-covered crotch is dripping water/sweat). Text babe 22. Want the absolutely crazy pole dancer? (a blonde woman wearing a pinafore slides up and down a pole with her bare breasts covered by a star). Text babe 23. Or get Ebony on your mobile and really enjoy the heat (a dark girl takes off her bikini top and has stars covering her breasts). Text babe 24. Now the heat is getting to Erika, so help her get it off her chest (a dark-haired woman lifts her tank top to reveal breasts covered by stars). Text babe 25 and send to 194000."

THE COMPLAINT

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

This is once again another ad that objectifies us women. It is nothing but porn. The sheer thong covers nothing. I didn't like that they were flashing their breasts either but at least there was something covering it that like a star icon but the panties were so sheer you could see the hair on her pubic area. Then the moisture that drops from her vagina says it all.

There was a close up image of a womans bikini clad crotch that seemed to be dripping!! I find that extrememly degrading and offensive.

I don't believe that viewers should be subjected to the close up image of beads of sweat dripping from a womans barely covered pubic area.

THE ADVERTISER'S RESPONSE

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

We respectfully disagree with the complainant's claim that our advertisement was inappropriate due to its sexual nature. The images of the women are very playful and this is supported by the style of the TVC and the humorous voice over. The image of the women in the bikini bottom which is dripping is from her swimming at the beach which is supported as her whole body is wet.

We are now aware of the views of the complainant and we sincerely regret that any offence was taken by this individual. During our investigations we discovered that channel 7 aired this TVC during a late night program that was not the right target market; Life As we Know It, as we have agreed with them to be more careful in the future. Therefore, we all agreed to pull this TVC. We

hope that this resolves the issues raised by the complainant, as described in your email.

THE DETERMINATION

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

The Board viewed the advertisement and considered whether it breaches Section 2.3 of the Code dealing with sex, sexuality and nudity.

The Board noted the complainants' comments that the advertisement contained excessive sexual content.

The Board noted that the advertisement contained no nudity, but it did note that the close-up of the woman's crotch was confronting. However, taking account of the audience and timeslot, and of the nature of the product being advertised, on balance the Board felt that advertisement did not treat sexuality insensitively enough to warrant the advertisement's removal from air.

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