



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 50/05   |
| 2. Advertiser                 | Swisse Vitamins Pty Ltd (Tanline)                   |
| 3. Product                    | Health Products                                     |
| 4. Type of advertisement      | Outdoor   |
| 5. Nature of complaint        | Discrimination or vilification Gender - section 2.1 |
| 6. Date of determination      | Tuesday, 8 March 2005                               |
| 7. DETERMINATION              | Dismissed   |

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement is a print advertisement which features a photograph of the back of the legs and bottom of a woman wearing a g-string. The tagline is “Sexiest tan alive!”

## **THE COMPLAINT**

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

*“It is offensive because it presents women in a derogatory manner – that is to say it discriminates against women. It also is a portrayal of sex/nudity.”*

## **THE ADVERTISER’S RESPONSE**

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

*“The product advertisement is in no way, in the eyes of a balanced and reasonable person, offensive. Rather it’s a product that promotes sensuality and the benefits of Tanline, a breakthrough safe spray tan with skin protective and renewal properties, which is an alternative to the cancer causing sun baking that has made Australia the leading skin cancer capital of the world.”*

## **THE DETERMINATION**

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

The Board was of the view that in the context of prevailing community standards, the majority of people would not find this advertisement offensive.

The Board was of the view that the image of the woman in the advertisement was not explicit or sexualised.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of people (sex).

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