



## CASE REPORT

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| 1. Complaint reference number | 528/08  |
| 2. Advertiser                 | ACP Publishing Pty Ltd                          |
| 3. Product                    | Media   |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination      | Wednesday, 17 December 2008                     |
| 7. DETERMINATION              | Dismissed                                       |

## DESCRIPTION OF THE ADVERTISEMENT

This television advertisement from ACP Publishing for its Zoo Weekly magazine shows a woman wearing a short floral dress walking onto a beauty salon. Two men are outside the salon. One man is working, using a blower to gather leaves into a bag, while the other leans against the outside of the salon window. As the girl walks into the store the man blowing leaves quickly empties the full bag back on to the almost cleared pavement. The other man points at the worker and says "That's Zoo". The advertisement then cuts to different features in the current magazine and then ends showing the man still blowing leaves as the woman leaves the salon.

## THE COMPLAINT

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

*I am complaining about the ad for "200" magazine, which talks all about scantily-clad "Honey", and shows photos of women in evocative poses. Can we please manage NOT to have pornography at 8:30pm please. "200" magazine ought to be made ashamed. I have nephews up at that time. What in GODS name do you people stand for? Please TAKE OFF this porn at 8:30 please. Why should anyone respect for a SINGLE MOMENT greedy pornographers who are prepared to manipulate and corrupt young viewers for money. They sell their souls for money. Tell them how pathetic and disgusting they are. Some decency please, and do have the courtesy to reply to this letter if you can possibly manage to actually do the right and good thing. What is wrong with you people? Do you actually stand for anything? Do you actually have any CHARACTER or GOODNESS between you? The ads on TV do not reflect this.*

## THE ADVERTISER'S RESPONSE

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

*Zoo Weekly is Australia's most successful men's magazine, now selling over 116,000 copies each week. Sport, News, Girls and Gags are topics our target market seek out and are the cornerstones of our editorial direction.*

*Our core audience recognise amusing moments in life and react in certain ways. We've tried to capture this through our latest TV advertisements with Zoo man recognising these moments and remarking, "That's Zoo." We take steps to ensure that all parts of the advertisement including content and the magazine pages that appear are suitable for the rating we are granted. These are included in our liaisons with Commercials Advice Pty Ltd (CAD).*

*All possible steps were made to ensure the advertisement complied with Commercial Television*

*Industry Code of Practice so that it was able to achieve a 'MA' rating, and to ensure the ad only appears in the appropriate timeslots for the target market. We can assure you that this ad is only broadcast after the 9pm guidelines and does not run in any G or PG rated programs. Also included in the process, were ongoing liaison with CAD at concept, script and edit stages.*

*In regards to section 2.3, "Advertisements shall treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone."*

*- The advertising agency engaged with CAD at the script, pre-production & post-production stages, where direction was taken on the visuals and audio to ensure the advertisement was suitable for a MA time zone.*

*- The advertisement does not portray any persons in an inappropriate manner, and there is absolutely no nudity in this advertisement.*

*The specific content that we believe the viewer is referring to references pages from the magazines. Zoo magazine is not pornography and is not classified as such. All of the girls are clothed in the magazine and we take care to ensure that images are not deemed indecent by closely consulting with CAD before commercials are put on air. We follow guidelines strictly and adhere to viewing classification guidelines.*

## **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 Section 2.3 of the Code, relating to sex, sexuality and nudity.

The Board noted that the advertisement featured images from the magazine of women in bikinis. The Board noted that no nudity was depicted and the women were not in excessively sexualised poses. The Board noted the advertisement has an "MA" classification and is broadcast after 9pm. The Board considered the advertisement treated sex, sexuality and nudity appropriately to the relevant classification and time zone and therefore found no breach of Section 2.3 of the Code.

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