



CASE REPORT

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| 1. Complaint reference number | 55/06 |
| 2. Advertiser | Empire Events (Desperate & Dateless Ball) |
| 3. Product | Entertainment |
| 4. Type of advertisement | Outdoor |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 14 March 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement features a black background, and a woman's open mouth with pink/red lipstick and with the teeth holding a love-heart-style candy with the words "Suck it and see"

THE COMPLAINT

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

...The immediate connotation I took from it was come and have a ball sucking ecstasy tablets.

...we are promoting to our children that ecstasy tablets are cool, fun and although naughty, acceptable.

THE ADVERTISER'S RESPONSE

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

The lips and lolly logo...has been used in six other states...and has received no negative feedback.

This year's snippet of "suck it and see" was not chosen, and is not in any way associated with ecstasy as suggested by the complainant.

...we believe this conclusion has been drawn without reasonable support.

THE DETERMINATION

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

The Board noted that the advertisement was an advertisement for a singles ball and that it was an outdoor advertisement displayed on a bus shelter.

The Board considered that the advertisement was a play on a number of possible things – none of which were overt.

The Board did not consider that the advertisement was an encouragement to use drugs and did not consider that it was likely to induce or encourage people to use drugs.

The Board did not consider that the advertisement made strong sexual references or was overly sexual and considered that the innuendo was mild and quite ambiguous.

The Board did not consider that the advertisement made any particular reference in an insensitive manner.

The Board considered that the advertisement treated sex or a sexual allusion with sensitivity to the likely audience, and did not consider that the advertisement breached clause 2.3 of the Code. The Board did not consider that the advertisement encouraged drug use and found that the advertisement did not breach the Code on any other grounds. The Board dismissed the complaint.