



## **CASE REPORT**

1. Complaint reference number	56/08
2. Advertiser	Service Central Aust Pty Ltd (carpets)
3. Product	Housegoods/services
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Wednesday, 12 March 2008
7. DETERMINATION	Upheld – discontinued or modified

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement shows a male/female couple pouring chocolate sauce all over their bodies. The female is wearing pants and bra and the male is wearing black shorts. The couple embrace passionately, sliding down the the floor and rolling over the carpet, leaving chocolate stains everywhere. An alarm is hear at Service Central which recognises the urgent need for a carpet cleaner. The next scene at the house shows the couple, oblivious to the fact that a cleaner has arrived and commenced cleaning the carpet around them, continuing to embrace passionately.

## **THE COMPLAINT**

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

*A man and a women pouring chocolate all over each other, he grabs her boob and they roll around on the carpet, while someone is cleaning the carpet.*

*WHAT IDIOT LET THIS GO TO AIR!!! I cannot beleive this passed to go on air. This is not an ad that I want my children to see. GET A BRAIN.....*

*There are a couple, half naked,...puring chocolate sauce over each other and moaning and groaning and rolling on the floor, as they are kissing very intimately....my daughter was asking what are they doing??? I object as my daughter had to witness it and asked me what they are doing? Why do you people insist on doing nothing for a job!!!! Is there a purpose you are here??? How do these commercials make it during these times slots....havent you people learnt anything!???*

*I was watching Tarzan with 6 yo son and 12 yo daughter when we were slapped in the face with this advert. The kids even saw the womans breasts, while completely covered in syrup in her lovers embrace kissing frantically (sic)!*

*Advertisement portrays the semi naked male groping the breast of the semi naked female while covered in sauce, and then rolling on the carpet.Irrespective that this add was shown during family viewing time, it should not be shown at all.*

*The start of the ad is completely inappropriate for children, and was aired two minutes prior to the One Day International Cricket. The sight of the man rubbing chocolate over the woman's breasts breaches acceptable community standards. The rest of the ad could be considered acceptable, but that image is not.*

## **THE ADVERTISER'S RESPONSE**

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

*Thank you for your letter of February 7th, 2008 regarding our recent Carpet Cleaners TV Advertisement (one of two we've just launched). Be assured we take these matters very seriously, and guard the reputation of our registered businesses and our brand with great vigour.*

*Accordingly, we are meticulous in our processes, and in this case, of ensuring our advertising is reflective of the general standard acceptable to the Australian public. As part of the approval process, all our TV advertising material is submitted to Commercials Advice Pty Ltd (CAD) by our advertising agency Spinach. We accept the rating given to us as part of this process, and I attach a copy of the relevant advice in this case. You will note we received a PG rating.*

*While we cannot speak for CAD, we can only hypothesise that a PG rating was deemed appropriate for this advertisement due to the "tongue in cheek" situation our characters find themselves in – carried away by a moment of fun, maybe a small moment of lust, all reconciled in a clearly unreal environment when the over-efficient carpet cleaner arrives so quickly that the clean up starts while the oblivious couple continue.*

*Whilst there may be a small minority of the general public who take exception with specific elements of our approach, we contend that the great majority of the Australian public see the "tongue in cheek" style of our advertisement for what it is, and take no offence whatsoever; in so doing endorsing the decision of CAD that the Advertisement (in its entirety) is suitable for viewing by a PG audience.*

*As a result of the complaints that you have provided, the media agency will now provide a list of the movies/programmes in which our advertising is scheduled to appear. We will then ensure that we do not place the Carpet Cleaners TV advertisement within any shows whose content may directly appeal to children, but still be available to PG rated material.*

*To aid in the Board's consideration of the case, we also enclose an Mpeg of the advertisement in question, a copy of the script and our CAD advice.*

## **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 content of the advertisement which in part focuses on a couple coating each other in chocolate syrup and engaging in a passionate embrace. The Board also noted that the advertisement spent equal time on the mission control centre and the carpet cleaning team.

The Board then considered whether the advertisement portrayed sex or sexuality with insensitivity to the relevant audience and relevant programme time zone. The Board noted that the advertisement had been given a PG rating.

The PG classification states: "May be broadcast during the following hours except during P or C programs or adjacent to P or C periods: Weekdays 8.30am to 4pm; Weekdays 7pm to 6am; Weekends 10am to 6am. Exercise care when placing in cartoon and other child-appeal programs".

The Board noted that whilst the advertisement had been shown during the correct programme time zone it had not taken into account the "exercise care" clause of the classification as the advertisement had been shown during programmes with direct child-appeal including *So You Think You Can Dance* and *Tarzan*.

The Board observed that some of the content of advertisement was too risqué and that the close up on the man's hand on the woman's breast was unsuitable for children to view. The Board noted that the woman was not naked but agreed that on first viewing she appeared to be.

The Board considered the rest of the advertisement and found it to be humorous and not inappropriate in its portrayal of sex and nudity.

However on the basis of the scene involving the couple the Board upheld the complaint.

## **ADVERTISER'S RESPONSE TO DETERMINATION**

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

included the following:

*We have modified our advertisement and resubmitted it to CAD for approval. The existing TVC will be discontinued as of next Tuesday 25th March.*