



CASE REPORT

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| 1. Complaint reference number | 598/09 |
| 2. Advertiser | Albury Hobby Centre |
| 3. Product | Toys and games |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 20 January 2010 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television commercial commences with a man holding a microphone (impersonating a news broadcast) whilst a person dressed as santa clause is depicted hoeing in the garden. The man with the microphone says: "Santa's sack is empty, he's been out hoeing, fortunately the wise men of the Albury Hobby Centre ...". The advertisement cuts to three men at the Albury Hobby Centre. The man says "there are many stocking filler favourites". A woman's leg is depicted pulling up a fish-net stocking. The man says "so don't blow it, shoot down to the Albury Hobby Centre ...".

THE COMPLAINT

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

I object to the use of sexual references in the commercial. I think it is highly distasteful.

THE ADVERTISER'S RESPONSE

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

The CAD approval numbers are: 30: WRDDBROA and: WRDDCROA.

As usual, it's all a bit over the top - they are intended to be harmless fluff with a bit of fun double entendre and are not aimed at, or placed in, kids shows. Again these people have the power to change channels or look away which they seem to be powerless to do if it offends their delicate sensibilities? Yet they have the energy to write in to you with a complaint? Go figure... We're not out to offend anybody just to have a bit of fun. The number of people who say they love the ads far outweighs the odd complaint. Hopefully you'll see them in the same light we do.

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 the complainant's concern that the advertisement was inappropriate because it contains sexual references.

The Board noted the advertiser's response and viewed the advertisement.

The Board considered whether the advertisement was in breach of section 2.3 or 2.5 of the Code. The Board noticed that the advertisement was for the promotion of a hobby centre and that there are a number of sexually suggestive phrases used in the advertisement. The Board also noted that the

advertisement is targeted to an adult male audience and is not directed to children particularly as it has a W CAD classification.

The Board noted that whilst some members of the community would interpret the advertisement as referring to sexual activity (which is the advertiser's intended double entendre), many members of the community would not pick up the more subtle references such as 'Santa's sack, hoeing, blow it'. The Board considered that young children would not be able to discern that the statement had a sexualised meaning. The Board considered that while some members of the public would find the double entendre offensive that the advertisement was not sexually inappropriate considering the audience and the language used was also not inappropriate to the audience. The Board considered that the advertisement was tasteless but that it did not breach section 2.3 or 2.5 of the Code.

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