



CASE REPORT

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| 1. Complaint reference number | 68/08 |
| 2. Advertiser | Quarry House International |
| 3. Product | Retail |
| 4. Type of advertisement | Print |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 12 March 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement is for a pair of binoculars described as "Powerful pocket binoculars get you right up close" at a price of \$39.95, and also mentions "Now you can z-o-o-m in to incredibly close up detail with these tough and compact binoculars. Two images are shown to emphasise the zoom feature - one of beach scene where two young women wearing bikinis are carrying surfboards ("from this") and another showing the women in close up ("to this").

THE COMPLAINT

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

The images used are of girls in bikinis carrying surfboards and the close-up is of one particular girl showing her chest and face. The girls in the images are teenagers aged from about 12-15 which I find inappropriate and borderline paedophilia. It's just plain creepy.

THE ADVERTISER'S RESPONSE

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

This was a test advertisement which had appeared once previously – Sun Herald TV Guide 03.02.08. We always test 2 media with a new advertisement. It has not appeared since. We chose this beach scene as it is a typical Australian scene and includes beach, people and distant hills. We chose a girl as she is attractive – we could equally have chosen a guy but a suitable image was not available to us. The image of a person more graphically demonstrates the magnification and personalises the advertisement.

At no time was it considered by the creative director or myself, that this image could possibly have offensive interpretation or particular sexual overtones – and we have 2 daughters! My estimation of the girl's age would be 16-18 but we have no way of verifying this as the image was purchased from a photographic agency. This agency will have a signed model release.

Since the ad. has caused offence to at least one person who took the trouble to complain, it is possible others interpreted it negatively too. For this reason the advertisement has been permanently withdrawn. However it is worth noting that we have not received a single written or phoned complaint to our order centre.

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 concerns of the complainant very seriously. It noted that the girls in the photograph looked older than 12-15 years and that image was very modest and innocent without any breast or cleavage on show.

The Board also considered that the view that nature enthusiasts are not the only people to use binoculars and that the image could be reminiscent of stalking. The Board felt it stopped short of this negative imagery because the photograph included the girls' heads and clearly showed their smiling faces.

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