



CASE REPORT

1. Complaint reference number	82/07
2. Advertiser	Domino's Pizza Australia Pty Ltd
3. Product	Food & Beverages
4. Type of advertisement	TV
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 13 March 2007
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a young woman, Katie, answering her mobile phone. On the screen we see a Pizza Hut employee, Josh, who asks "Hi babe, tonight you got three choices. Watch." On the screen we see various domino's menu items displayed with a male voice over describing "Check out new BBQ Garlic Prawn pizza with fresh garlic, tomato and mayo and BBQ sauce swirl. Howw 'bout Smokey BBQ Meatball with a delicious BBQ swirl." Katie asks "And after?" to which the voice over replies "New Raspberry Choc Brownies. Rich, moist and topped with a luscious layer of raspberry!!!" Katie further questions "And after?"

THE COMPLAINT

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

...portrays a handsome young man decalring he has the "hots" for the attractive blue-eyed blonde, and invites her over for pizza...a perfect example of the subtle way that sex is used to sell products....The advertisement relies on the repitition of the phrase "and after..." to create the impression that the two young people will possiblyend this get-together with a casual sexual encounter.

THE ADVERTISER'S RESPONSE

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

The advertisement in question is a light hearted ad for pizza and Brownies which is far from "creat(ing) the impression that the two young people will possibly end this get-together with a casual sexual encounter" as claimed.

There is no suggestion or promotion of casual sex in the advertisement which, in our view, meets the AANA Advertiser Code of Ethics.

THE DETERMINATION

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

The Board viewed the advertisement and considered whether it breached Section 2.3 of the Code dealing with sex, sexuality and nudity.

The Board noted the complainants' comments that the advertisement encouraged casual sex.

The Board viewed the advertisement and noted the woman's slightly suggestive question, "and after?".

While the Board accepted that to some people this might have suggested a subsequent sexual encounter, the question was sufficiently implicit as to be acceptable. (The Board also agreed that since the nature of the relationship between the two young people in the advertisement was unclear, it did not follow that any subsequent sexual encounter would necessarily be "casual"). Regardless, the Board held that the advertisement was not at all explicit (with any sexual activity only implied) and did not treat sex, sexuality or nudity insensitively enough to warrant removal from broadcast.

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