



CASE REPORT

1. Complaint reference number	85/09
2. Advertiser	Roadshow Film Distributors
3. Product	Entertainment
4. Type of advertisement	Outdoor
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Wednesday, 11 March 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement for a movie titled "Zack and Miri make a porno" shows the movie title in the middle of the advertisement along with the words "Only at the movies February 19". A picture of actor Seth Rogen is on the left and a picture of actress Elizabeth Banks is on the right.

THE COMPLAINT

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

The billboard is located approximately 50 metres from the gate of Narwee public school, prominently beside the railway line. Inappropriate content to be located where it is easily viewed by children.

I am very upset that I had to answer my 8 year old's question: "Mummy, what's a porno?" This is a completely inappropriate advertisement for a corner that is so close to the local primary school and kindergarten (Caulfield Primary and Kindergarten, respectively). Many families walk their children past it every day and there are a lot of very unhappy parents.

I have 3 kids and don't see the need to explain what a porno film is to a 7 year old and 2 x 10 year olds. I believe that this advertising is in breach of social values standards that we accept in society and the advertising should be limited to areas of on 15+ age groups.

THE ADVERTISER'S RESPONSE

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

The material is currently booked to run until 1 March 2009, material will then be removed.

We do not believe the Billboard violates the code.

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 complainants concern about the use of the word 'porno' in the Billboard.

The Board noted that the word is part of the title of the movie being promoted and that it is not possible to promote the film without using its title. The Board considered that the use of the word 'porno' was not of itself in contravention of the Code and that most members of the community would

not consider it strong or obscene. The Board determined that the advertisement did not breach section 2.5 of the Code.

The Board considered that the advertisement as a whole was not sexually suggestive and was not inappropriate for a billboard. The Board noted that the placement of this particular billboard near a primary school was not ideal but that, despite this, the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and did not breach section 2.3 of the Code.

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