



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 86/01   |
| 2. Advertiser                 | Nestle Confectionery (ACTIV)  |
| 3. Product                    | Health Products   |
| 4. Type of advertisement      | Outdoor   |
| 5. Nature of complaint        | Discrimination or vilification Other – section 2.1<br>Violence Other – section 2.2<br>Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination      | Tuesday, 8 May 2001   |
| 7. DETERMINATION              | Dismissed   |

## **DESCRIPTION OF THE ADVERTISEMENT**

The outdoor advertisement, captioned ‘Not feeling 100%?’, portrays the head of a woman jumbled together with a collection of body parts from a dismantled mannequin, and accompanying text promoting ACTIV as a new range of herbal, mineral and vitamin lozenges.

## **THE COMPLAINT**

Comments made by the complainants in relation to this advertisement included the following:

*‘The nudity alone (bottom and breasts fully displayed) would be sufficient reason for complaint, but the dismembering of the body can only be described as totally obscene.’*

*‘It is grossly offensive, perpetuates the idea that women’s bodies are public property and not deserving of respect. It also has associations with acts of cruelty and violence against women which are all too common in the world today.’*

## **THE DETERMINATION**

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

The Board was of the view that the material within the advertisement did not contravene prevailing community standards in its portrayal of sex/sexuality/nudity; neither did it constitute discrimination or vilification. The Board determined that the advertisement did not breach the Code on these or any other any grounds and, accordingly, dismissed the complaint.