



## **CASE REPORT**

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| 1. Complaint reference number | 98/05   |
| 2. Advertiser                 | Arnott's Biscuits (Tim Tams)                    |
| 3. Product                    | Food  |
| 4. Type of advertisement      | Outdoor   |
| 5. Nature of complaint        | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination      | Tuesday, 10 May 2005                            |
| 7. DETERMINATION              | Dismissed                                       |

## **DESCRIPTION OF THE ADVERTISEMENT**

These outdoor advertisements feature a reclining nude woman. The woman is draped only in a long ribbon/silk-like material that covers her breasts and genitals. The tag lines read:

*“Lust isn’t a nibble, it’s a bite” / “Once bitten, twice desired” / “Passion made edible”.*

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*“She is too nude. Why do innocent young children have to process borderline pornographic images?”*

*“The positioning of the woman in the latest Tim Tam ad is pornographic. The slogan “Lust isn’t a nibble, it’s a bite” is suggestive of sexual violence. It is utterly inappropriate and offensive.”*

*“We find the advertising offensive and unacceptable and we are outraged that it is displayed in public. We feel that this is an extremely offensive example of using women’s bodies and sexuality for commercial purposes. It shows a poor role model to young women about their own worth and purpose, and an even poorer role model to young men about how to view and value women. We feel this is a form of sexual harassment, as we are unwillingly subjected to this material.”*

## **THE ADVERTISER’S RESPONSE**

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

*“The advertisements are highly stylised and the artistic print executions tastefully depict models seemingly ‘lost’ in the Tim Tam flavours.”*

*“The main objective of the campaign is to demonstrate something Arnott’s consumers have told us – that consumers are seduced by the flavour.”*

*“The advertisement represents the sensation of eating a Tim Tam Dangerous Liaisons biscuit.”*

*“The advertisements do not depict naked women or nudity, as the models depicted are covered; tastefully and sensitively presented.”*

## **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 that the advertiser had used a deliberately artistic approach in depicting this woman. The Board was of the opinion that the depiction was not explicit as neither the breasts nor genitals were exposed in any way.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of sex/sexuality/nudity.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.