



CASE REPORT

1. Complaint reference number	286/03
2. Advertiser	Red Presents
3. Product	Other
4. Type of advertisement	Print
5. Nature of complaint	Portrayal of sex/sexuality/nudity – section 2.3
6. Date of determination	Tuesday, 9 September 2003
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This magazine advertisement promotes a party as ‘The Ultimate Orgasm,’ with text superimposed over a depiction of an apparently naked couple in a sexual embrace. Together with venue and date information, and an Internet website address, the text offers a ‘100% Money Back Guarantee if you don’t experience an ORGASM by the end of the night.’ Footnote text further advises: ‘If you don’t experience an actual orgasm on the night from our show, we will make it up to you with an orgasm shooter.’

THE COMPLAINT

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

“I feel harassed by this advertising and find it inappropriate that it is the back page of an employment magazine. Freedom is not just in the right to advertise, but the right to refuse to be harassed by such X-rated ads. There should be restrictions on this sort of rubbish.”

“They may want to argue that it is freedom of speech etc, but it is also my right as a citizen that I am not subjected to degrading advertising that exemplifies the degraded status of women in Australia... Normally I can turn my head away from such obscenities, but this time I was FORCED to give it attention.” (Complainant’s capitalisation).

THE DETERMINATION

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

The Board considered that most people accepting the give-away magazine would recognise, at least from the footnote text, that reference was being made to a drink.

It determined that the material did not breach the Code in relation to the portrayal of sex, sexuality and/or nudity, and that it did not otherwise offend against any other provisions of the Code.

On this basis, the Board dismissed the complaint.