



CASE REPORT

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| 1. Complaint reference number | 319/04 |
| 2. Advertiser | Bonds Industries Ltd (Berlei Barely There) |
| 3. Product | Clothing |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Discrimination or vilification Gender - section 2.1
Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Tuesday, 7 December 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement features a group of women following a loudspeaker van, taking off their clothes and walking down the street revealing their bras and/or underwear. The voiceover states that women no longer have to compromise between looking good and feeling good. The tagline is “Berlei. Feels like it’s barely there.”

THE COMPLAINT

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

“I am upset that I was watching a G rated program with my seven year old son and five year old daughter and they were showing images of adult ladies taking their clothes off to reveal large breasts and skimpy undies and they then proceeded to dance down the street.”

“Suitable for a porn movie but I am furious to see such adverts during the day. Not only do I not want children to see this, I as a woman do not want to see such trash on my TV.”

“The ad is really, in my view, a bit of soft porn.”

“This therefore degrades women, it desensitizes us to the potency of sexual issues and leads to sexual crime.”

THE ADVERTISER’S RESPONSE

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

“The commercial celebrates the fact that women can now look great in their underwear without compromising comfort, hence ... Barely There.”

“As is industry practice, our television commercial received a ‘G’ classification under the Commercial Television Industry Code of Practice. As you would be aware, this rating allows the advertiser to broadcast across all zones.”

“We do not believe this advertisement promotes nudity, sexuality, nor does it depict material contrary to prevailing community standards on health and safety.”

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board was of the view that in the context of prevailing community standards, the majority of people would not find this advertisement offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of people (sex) and 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.