



10/448

DECISION**Meeting 14 September 2010****Complaint 10/448**

Complainant: D. Ritchie, Stop Demand Foundation & Others
Advertisement: Eden Digital Limited

Complaint: A mobile billboard produced by Eden Digital was towed in and around the Auckland area. It promoted the "erotica lifestyles expo" and, at the same time, provided information on dates, times and venue. Adjacent to this information was the image of a woman's naked pelvic area with a halved melon positioned in front of her pubic area. The woman's finger was positioned inside the melon.

Complainant, D. Ritchie, Stop Demand Foundation, said:

"Type: Outdoor

Where: Type of advertisement - Mobile billboard

Where/when - (1) down Queen Street, Customs St and Britomart Place, Auckland City - on Wednesday August 11 shortly after midday. (The mobile billboard is captured on TV3's video clip at

<http://www.3news.co.nz/Extended-footage-of-Boobs-on-Bikes-10-NSFW/tabid/312/articleID/170114/Default.aspx> - at 1.09secs of a 2.31secs clip)

(2) around Auckland, the week of Aug 9 (as confirmed on Erotica Expo's website....

"9 August 2010 - Erotica's latest billboard is causing a wave of controversy wherever it is seen. The mobile billboard is being towed all over Auckland as part of this weeks lead up to the Erotica Lifestyles Expo this coming weekend in Auckland and the company's phones have been running hot with people either loving or hating it. 'Certainly no one seems to be just indifferent to our billboard design this year' says expo organiser Michelle Ruebe 'which is great, it is designed to provoke thought and discussion and it is certainly achieving that'."

(<http://www.eroticaexpo.co.nz/news/view/188>)

Who: Eden Digital Limited

Product: Erotica Expo 2010

Complaint -

A billboard featuring a woman from the waist to her thighs, naked, with her splayed fingers inside an open rockmelon strategically placed in front of her pelvic area, breaches:

The Code of Ethics

- Basic Principle 4
- Rules 4 and 5, and

The Code for People in Advertising

Basic Principles 3 (gender) and 5.

The image is designed to simulate a woman with her fingers in her vagina. It is standard Steve Crow fare, with its focus on dehumanising women and reducing them to their genitalia.”

Duplicate Complainants expressed similar views and said they found the advertisement indecent, offensive, discriminatory and “dehumanizing” - reducing women to their genitalia.

The Chairman ruled that the following provisions were relevant:

Code of Ethics

Basic Principle 4: All advertisements should be prepared with a due sense of social responsibility to consumers and to society.

Rule 4 Decency - Advertisements should not contain anything which clearly offends against generally prevailing community standards taking into account the context, medium, audience and product (including services).

Rule 5 Offensiveness - Advertisements should not contain anything which in the light of generally prevailing community standards is likely to cause serious or widespread offence taking into account the context, medium, audience and product (including services).

Code for People in Advertising

Basic Principle 3: Advertisements should not portray people in a manner which, taking into account generally prevailing community standards, is reasonably likely to cause serious or widespread offence on the grounds of their gender; race; colour; ethnic or national origin; age; cultural, religious, political or ethical belief; sexual orientation; marital status; family status; education; disability; occupational or employment status.

Basic Principle 5: Advertisements should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people in society to promoted the sale of products or services. In particular people should not be portrayed in a manner which uses sexual appeal simply to draw attention to an unrelated product. Children must not be portrayed in a manner which treats them as objects of sexual appeal.

The Advertiser, Eden Digital Limited, said:

“The complaints seem pretty much the same old same old puritanical nonsense from a very small sample of the population’ at my count less than 100 of the ten's of thousands that viewed the billboard. Not even close to 1%.

At the end of the day the photo used on the billboard is nothing more than a naked woman holding a piece of fruit in front their pelvic area. That's it, nothing more, nothing less but I have long since learned that the ASA gives more weight to the ranting of the conservative minority than common sense or the silent opinion of the masses.

I won't be giving this anymore mind time. Whatever we do, someone will complain. I await the banning notice.”

Deliberation

The Complaints Board read all the relevant correspondence and examined the advertisement. It observed that 71 complaints had been received and that Complainants found the advertisement indecent, offensive, discriminatory and “dehumanizing” - reducing women to their genitalia.

The Chairman directed the Complaints Board to consider the complaint with reference to the Code of Ethics, Basic Principle 4 and Rules 4 and 5. Also the Code for People in Advertising, Basic Principles 3 and 5.

The Code of Ethics required the Complaints Board to consider whether or not the advertisement was prepared with a due sense of social responsibility and whether or not, in the light of generally prevailing community standards, the advertisement and its portrayal of people was likely to offend or cause serious or widespread offence. The Code for People in Advertising required the Complaints Board to consider whether the advertisement portrayed people in a manner which, taking into account generally prevailing community standards, was reasonably likely to cause serious or widespread offence on the grounds of gender. Basic Principle 5 of the same code required the Complaints Board to assess whether the advertisement employed sexual appeal in a manner which was exploitative and degrading of any individual or group of people in society in order to promote the sale of a product or service.

The Complaints Board took into account the general nature of the product being promoted, noting that it was “an expo”, the “erotica lifestyle expo” to be exact. It was also described in the advertisement as “The Feel Good Show”. This description was reinforced by the image of a woman's naked pelvic area with a halved melon positioned in front of her pubic area and a finger inside the melon simulating female masturbation.

The Complaints Board noted that the billboard was towed in and around the Auckland area a week before the expo was due to open. It was public and highly visible. It was also clear, that by using the naked female body part and the strategically positioned fruit and finger, the Advertiser sought to provoke maximum

outrage and receive maximum exposure with the associated ripple effect of media and public attention.

In the Complaints Board's view, the advertisement not only offended against generally prevailing community standards it was more than likely to cause serious or widespread offence taking into account the context, medium and audience. The Complaints Board concluded that the advertisement breached Rules 4 and 5 and Basic Principle 4 of the Code of Ethics. The Complaints Board then referred to the Code for People in Advertising and, in this respect, concurred with the Complainants'. It was unanimous in the view that the advertisement was degrading to women. The Complaints Board concluded that the advertisement also breached Basic Principles 3 and 5 of this Code.

Accordingly, the Complaints Board ruled to uphold the complaint.

Decision: Complaint **Upheld**