



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0557/14</b>
<b>2</b>	<b>Advertiser</b>	<b>Ultra Tune Australia</b>
<b>3</b>	<b>Product</b>	<b>Automotive</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Internet</b>
<b>5</b>	<b>Date of Determination</b>	<b>14/01/2015</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

## ISSUES RAISED

- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

## DESCRIPTION OF THE ADVERTISEMENT

Pop up box on the Ultra Tune website featuring two women leaning against a tyre. The woman on the left is wearing a tight black rubber cat suit with a zipper up the front. The woman on the right is wearing a black rubber dress and is holding a tasseled whip. The text reads, "We're into rubber now. Ultra Tune now offer a full range of tyres to suit all makes and models."

## THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

*The writing was accompanied by two ladies dressed in leather bondage, one with a whip and cleavage showing. Standing next to a tyre.*

*I find it deeply offensive that a company has to resort to objectifying females in order to sell a service.*

*And in this case, there is no way to simply "avoid" the advertisement as you need to close the window to continue onto the site.*

## THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

*The website is the Ultra Tune Australia webpage. When visiting the website for the first time that day, a pop-up image is displayed which can be closed by a click. The pop-up will not appear in your web browser again for that day. The pop-up may display one of 4 images (which are randomly selected) together with text promoting various Ultra Tune services. A sample of the pop-up image being displayed on the website and the 4 images are attached.*

*We respond to the issues raised by the complainant as follows:*

- 1. The models are fully clothed. The images do not portray nor suggest sex or sexual act and are not being portrayed as objects of lust. The images do not include any graphic nudity and there is no uncovered flesh.*
- 2. There are numerous other main stream promotional material available on the Internet that are displayed on the webpage itself which cannot be closed.*
- 3. The pop-up is designed to only display once a day and to draw attention to the particular Ultra Tune service referred to in the text.*
- 4. We also refer to case number 0201/14 and 0380/13 where the complaints were dismissed.*

*We do not believe the pop-up breaches Section 2 of the AANA Advertisers Code of Ethics in any way.*

## **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 the complainant’s concern that the advertisement is offensive and degrading to women and includes scenes that are inappropriate for viewing by children.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: “Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people.”

The Board noted that in order to be in breach of this section of the Code the image would need to use sexual appeal in a manner that is both exploitative and degrading.

The Board noted that the image is a static pop-up image featuring two women with their knees resting on a tyre. One woman is wearing a full black cat suit and the other a black dress of shiny appearance (presumably rubber). The image appears on screen when navigating the Ultratune website.

The Board noted it had previously dismissed complaints about the television version for the same advertiser in case 0201/14 where: the advertisement featured the two women wearing rubber outfits (one wearing a dress, the other wearing a catsuit) walking into an Ultra Tune workshop where one of the women slams her whip on the counter to attract the attention of

the man sitting behind it. The women are seen caressing some car tyres.

In the above case the Board considered that “the depiction of the two women strutting into the workshop portrays the women as powerful and confident and their depiction wearing rubber suits is relevant to the new range of ‘rubber’ tyres in store and does not amount to a depiction that is exploitative and degrading to women and did not breach section 2.2 of the Code.”

Consistent with the decision above, the Board noted that the women appear confident and in control of their actions and that the use of women dressed in rubber outfits and posed in this manner is a humorous reference to “rubber suits and tyres” and does not amount to a depiction that is considered exploitative and degrading and that it did not breach section 2.2 of the Code.

The Board then considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that the advertisement is for tyres and tyre fitting and that the idea is to draw the attention of the viewer to the tyres. The Board noted that the likely audience for a website for Ultratune is adults looking for vehicle related products.

The Board noted that the women are posed in a manner that is unrealistic in a humorous way and only mildly sexually suggestive. The Board considered that that an image of this nature is not inappropriate for the intended audience.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and determined that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.