

COMPLAINT NUMBER	21/507
ADVERTISER	Brand Developers Ltd
ADVERTISEMENT	TEBO Massage Chair, Television
DATE OF MEETING	8 November 2021
OUTCOME	No Grounds to Proceed

Advertisement: The Brand Developers television advertisement for the TEBO massage chair shows a couple leaving dinner to each sit on a massage chair. Music plays in the background as the couple are shown having a massage on the chairs. The advertisement ends with the TEBO logo and website address.

The Chair ruled there were no grounds for the complaints to proceed.

Complaint 1: The ad implies the female and male are engaging in sexual activity while they're seated in the massage chair. The female bites her lip while appearing to groan, and the male buttons up his shirt as he gets up - not before the camera pans down to his crotch.

Complaint 2: I was quite surprised to see the most recent ad for the tebo massage chair today. It grabbed my attention for all the wrong reasons. Very attractive young couple following what appeared to be a date. Cut to them leaving following a whispered conversation. Next shots are of them "enjoying" the product. Chest shots lingered on female wearing a very low cut dress writhing in the chair followed by a close up of her partner seated in an adjacent chair where the camera lingered on his groin area. I have to say it appears highly sexualised and irrelevant to the benefits allegedly offered by this product, plus shown during daytime TV. Am no prude but was pretty gobsmacked!

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

The Chair noted the Complainants were concerned the advertisement included sexual innuendo which was offensive and irrelevant to the product being advertised, a massage chair.

The Chair carefully reviewed the advertisement and said the likely consumer takeout would be that using the massage chair can be an enjoyable experience for the user. The Chair said the advertisement contained a level of sexualised behaviour. The Chair confirmed there could be a connection between concept of massage and the way the couple acted in the advertisement.

The Chair noted the Commercial Approvals Bureau had classified the advertisement G (General), which means the advertisement may be broadcast at any time. The Chair said

the advertisement played during *Australian Ninja Warrior*, rated G and *Catfish*, rated PG (Parental Guidance). The Chair said the advertisement had screen within its afforded rating. The secretariat confirmed the audience at the time the advertisements were broadcast, was almost all over 18.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the scenario of the man and women receiving a massage was indecent or was likely to cause serious or widespread offence in light of generally prevailing community standards, in this context. The Chair agreed the focus of the advertisement on sexualised behaviour was not necessary in the context of promoting a massage chair. It did not however reach the threshold to be considered indecent or cause serious or widespread offence for most consumers.

The Chair said the advertisement was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaints to proceed.

Chair's Ruling: Complaints **No Grounds to Proceed**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.