



Case Report

1	Case Number	0119/16
2	Advertiser	Comparethemarket.com.au
3	Product	Insurance
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	23/03/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

Compare the Market's 'Launch' commercial opens with 'Aleksandr Orlov' (Aleks) and 'Sergei' who is carrying 'Baby Oleg' in a wearable baby carrier, stepping out of a Bengley. As Aleks and Sergei walk towards a building, they are followed by removals men carrying candlesticks. While walking, Aleks says to Sergei, "Is like I always say Sergei, if you can't beat them, buy them". They then arrive at the building doors which carry the comparethemarket.com.au logo.

As the doors open, you see the Compare the Market team anxiously awaiting their new boss. 'Tom' from the Compare the Market team bends down to welcome the meerkats to their new business and stretches out his hand, "Mr Aleksandr, pleasure to meet you. I'm Tom." Aleks completely ignores Tom's greeting and hands him his briefcase instead, leaving Sergei to say hello.

The scene then cuts to Aleks sitting in Tom's office chair. Aleks can see that Tom wants to get down to business and says, "Talk to me, Tom!" Using an iPad, Tom explains that "the price of health insurance will go up again on April first. Last year the average was 6.2%, with some policies going up 18%!" Even though Aleks doesn't really understand health insurance, Aleks knows that price rises are bad and at the news of a potential 18% increase, Aleks exclaims "Son of a Mongoose!" before looking at Sergei and shrugging his shoulders. Sergei and Baby Oleg both look a bit confused as to what this actually means.

The scene then cuts to a blue Compare the Market endframe showing car, life, health, home and energy icons, as well as Compare the Market's logo and phone number. We then hear

Tom's voice saying, "Beat the health insurance price rise. Call us on 13 32 32 or go to comparethemarket.com.au."

THE COMPLAINT

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

I am sure the ad agency wrote the script so it would get attention "Son of a mongrel !!" meant as an offensive insult, but it may be repeated by kids because the animated meercat says it. The phrase 'son of a mongrel'. I do not believe this phrase is one I want my 3year old running around and repeating. The language is offensive.

THE ADVERTISER'S RESPONSE

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

We have received complaints from viewers through the Advertising Standards Bureau in relation to a line of script within our current television commercial. The line in question is "Son of a Mongoose" which has been misheard by the complainants as "Son of a Mongrel".

The rivalry between meerkats and mongooses was first highlighted in our 'Battle of Fearlessness' commercial which launched on 4 January 2015. This commercial explained how the fictitious history of the meerkats and mongooses who fled Africa after the grub famine, and then fought battles for supremacy in the mountains outside of Moscow.

The phrase "Son of a Mongoose" was designed to be a fun meerkat term to express shock at hearing some health insurance premiums went up by 18% last year.

We regret that the complainants are mishearing this line within our commercial but do not think this complaint falls under Section 2.5 of the Code as it relates to people mishearing a word, as opposed to the TVC containing language that is "inappropriate to the circumstances".

Conclusion

In conclusion, while we regret that the complainants have misheard the commercial and taken offence, we do not believe that there has been any breach of the AANA Advertiser Code of Ethics.

We value the role of the Advertising Standards Bureau and appreciate that it is obligated to follow up on complaints raised, however, we believe in this instance the complaint is unfounded and therefore should be dismissed.

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 complainants’ concerns that the advertisement uses offensive language, likely to be repeated by children.

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

The Board considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.

The Board noted that the complainants’ that the advertisement uses the phrase, ‘son of a mongrel’. The Board noted the actual phrase used in the advertisement is ‘son of a mongoose’ and considered that this phrase is not offensive or likely to be considered inappropriate by most members of the community. The Board noted that mongooses have featured in previous executions of the advertiser’s campaign and considered that even if you were not familiar with these advertisements in the Board’s view the current advertisement clearly uses the word mongoose not mongrel.

The Board considered that the language used in the advertisement is not strong, obscene or inappropriate and determined that the advertisement did not breach Section 2.5 of the Code.

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