



Case Report

1	Case Number	0006/12
2	Advertiser	Yokohama Tyres Aust Pty Ltd
3	Product	Retail
4	Type of Advertisement / media	TV
5	Date of Determination	08/02/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The advertisement uses a large warehouse full of tyres to describe how confusing it is to choose tyres. The three Yokohama products presented use brightly coloured point of sale tyre centres to execute this strategy as it is explained by the voice over "If you want a long lasting everyday tyre, choose green. For extra safety, choose blue. And for high performance choose red."

The tyres roll out in front of the talent and he bends down to look at them. The call to action is to "Ask your tyre dealer about Yokohama, the easiest tyres to choose".

THE COMPLAINT

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

I object to the naming and advertising of the 3rd tyre. Yokohama have labelled it "FOR THE FAST & THE FURIOUS" driver.

I think that is the worst thing they could say for advertising. Especially for young kids.

I can see it now; "oh hell yeah! I'm getting them tyres! I drive/wanna drive fast and furious!" I don't care what they say in the small lettering explaining the tyre - I know they explain it for the conscientious driver - but that's beside the point.

The advertising says: FOR THE FAST AND FURIOUS. They are telling people they can be FAST AND FURIOUS with their product. Who in god's name wants another dickhead on the road? Not me. Not the police. Certainly not the families that are destroyed by vehicle related

tragedies in this country. I am very sorry to say this as I have never complained about an ad before but in my view all they are doing is adding to this MAD MAX MENTALITY that already exists on our roads and making it worse.

How can we have an ad about safe-driving and in the same breath put out an ad for the FAST AND FURIOUS DRIVER? Quite demented) I pity the police. It's worse than cigarette advertising.

THE ADVERTISER'S RESPONSE

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

The red tyre is the Yokohama S.drive. The headline used on the point of sale material for this tyre is "For the Fast and the Furious". We first used this in Yokohama's published price list dated June 2008 and we haven't received any complaints about it.

This headline was chosen because it aligns the tyre with car enthusiasts due to the popular film series "The Fast and the Furious" [The film series includes: The Fast and the Furious (2001), 2 Fast 2 Furious (2003), The Fast and the Furious: Tokyo Drift (2006), Fast and Furious (2009) and Fast Five (2011)].

While Yokohama uses a similar headline to the movie it does not portray any irresponsible driving in promoting the S.drive tyre in any point of sale material or advertising. The tyre is described based on its features and functions. The copy reads:

Fast acceleration, high speed cornering and hard braking brings the best out of the S.drive. It suits high horsepower cars with big wheels that require low profile tyres. Ideal for demanding drivers and performance cars like HSV, FPV, AMG, M Sport, Nissan GTR, WRX and Evo".

Communication of the Fast and Furious headline in the Yokohama television commercial is unintentional. The red tyre is described as a "high performance" tyre which is a hopeless generic the phrase used by almost every tyre manufacturer for every tyre.

I understand the complaint the complainant is making. I agree that in the context of the movie, the "Fast and the Furious" phrase may give validity to those who want to drive like lunatics. But in the context of the Yokohama TV advertisement this is not the case.

When the complaint was taken by Yokohama phone sales staff the complainant mentioned that they had seen the Yokohama TV ad directly after a Victorian road safety ad. In the context of a sad, shocking road safety television commercial about car accidents and road trauma I can imagine somebody being upset if they happen to notice the headline on one of the products at the end of the Yokohama ad.

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 promotes unsafe driving through its promotion of fast and furious tyres.

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

The Board considered whether the advertisement was in breach of Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted that the voiceover suggests the red tyres for 'high performance' and that a tyre with red packaging rolls in to shot with the wording "fast and furious" written across it. The Board considered that the voiceover does not encourage speeding and that the phrase 'fast and furious' is written on the product as a point of sale message which is only seen briefly within the advertisement.

The Board considered that the overall theme and message of the advertisement is about choosing the correct tyre and not about driving fast or in an unsafe manner.

Based on the above, the Board determined that the advertisement did not depict material contrary to prevailing community standards on health and safety and did not breach Section 2.6 of the Code.

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