



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
ACN 084 452 666

Case Report

1. Case Number :	0057-22
2. Advertiser :	Lowd
3. Product :	Other
4. Type of Advertisement/Media :	Billboard - Digital
5. Date of Determination	23-Mar-2022
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.5 Language

DESCRIPTION OF ADVERTISEMENT

This billboard advertisement features the text:

"Jo:

Plumbers are such down to Earth people, probably because they deal with other people's shit."

And includes the Lowd logo and website address.

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

Blatant swear words. It's indecent and offensive, especially as the billboard is situated in a location where children would easily see it.

THE ADVERTISER'S RESPONSE

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

Advertiser did not provide a response.



THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement contains a swear word which can be viewed by children.

The Panel viewed the advertisement and noted the advertiser did not provide a response.

Section 2.5: 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 Panel noted that the Practice Note for this section of the Code includes:

"Words and phrases which are innocuous and in widespread and common use in the Australian vernacular are permitted provided they are used in a manner consistent with their colloquial usage, for example with gentle humour, and not used in a demeaning or aggressive manner."

The Panel noted that the billboard advertisement was by the side of the road and would be seen by a broad audience including children.

The Panel considered that the word "shit" would be considered by most members of the community to be mild and part of the accepted vernacular. The Panel acknowledged that some members of the public would prefer this term not be used in a context where children could see it, however considered that the advertisement itself is not likely to draw the attention of children and that the word is used at the end of a sentence that would not be appealing to children.

The Panel considered that such language is not uncommon among adults. The Panel noted a card game commonly referred to as "bullshit", a segment titled "I call bullshit" on popular radio program Kennedy and Molloy, and a television program titled "Penn & Teller: Bullshit!" are contemporary examples where a very similar term is commonly accepted as appropriate vernacular.

The Panel considered that most members of the public would consider the use of the word to be not inappropriate when used in the context of the phrase depicted in the advertisement.

Section 2.5 conclusion

The Panel determined that the advertisement did not breach Section 2.5 of the Code.



Conclusion

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.