



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
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## Case Report

<b>1. Case Number :</b>	<b>0074-21</b>
<b>2. Advertiser :</b>	<b>Wicked Campers</b>
<b>3. Product :</b>	<b>Vehicle</b>
<b>4. Type of Advertisement/Media :</b>	<b>Transport</b>
<b>5. Date of Determination</b>	<b>14-Apr-2021</b>
<b>6. DETERMINATION :</b>	<b>Upheld – Not Modified or Discontinued</b>

### ISSUES RAISED

AANA Code of Ethics\2.5 Language  
AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

This campervan with Tasmanian registration J45KC features an image on the side of the van of a cartoon style Kermit the Frog smoking what appears to be a rolled cannabis cigarette. Text alongside the image states "roll roll roll your joint, pass it down the line, take a toke, inhale the smoke and blow your fuckin' mind!". Text on the rear of the van states ""All things must pass.""-George Harrison".

### THE COMPLAINT

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

*Well, for a start, the drugs alluded to and promoted are illegal, so there's that. The advertising is using a very popular children's character. So whether intended or not, it is directed at children.*

*These things should be enough, but there's also Section 2.6 Advertising shall not depict material contrary to Prevailing Community Standards on health and safety*

*I'm pretty sure promoting smoking goes against community standards, let alone smoking illegal substances. I'm certainly pleased my teenage children weren't with me*



*when I saw this van. This is a pretty standard stunt for Wicked Campers. Defying advertising codes since their inception.*

### **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 language is offensive.

The Panel viewed the advertisement and noted the advertiser had not provided 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 the advertisement was on a vehicle and that the relevant audience would be broad and would include children.

The Panel noted that it had previously considered similar wording on another vehicle by the same advertiser in case 0495-18, in which:

*"The Panel noted that the current advertisement is featured on a vehicle and it is likely that it will be viewed by a broad audience which would include children. Consistent with the decisions above and in consideration of the research the Panel considered that the word "fucking" is not appropriate for a broad audience in a medium which people may not be able to avoid seeing the images and words and that it is a word which most members of the community would consider obscene."*

Consistent with the previous determination, the Panel considered that the word 'fuckin' in the current advertisement was not appropriate for a broad audience and would be considered strong and obscene language by most members of the community.

### **Section 2.5 conclusion**



The Panel determined that the advertisement did contain strong of obscene language and did breach Section 2.5 of the Code.

**Section 2.6: Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.**

The Panel noted the complainant's concern that the advertisement featured a children's character and drug references.

The Panel noted that in case 0495-18 it had found:

*"The Panel considered that the advertisement is making light of drug use by using a well-known children's nursery rhyme's structure and an image of well-known children's program characters. The Panel considered that the advertisement glamorises drug use and trivialises an important issue by suggesting that the use of illegal drugs is not something to be taken seriously.*

*The Panel considered that many members of the community would consider a clear reference to an illegal substance contrary to Prevailing Community Standards on health but noted that there are some members of the community who would consider cannabis use to not be against prevailing community standards, particularly for medicinal purposes.*

*The Panel however considered that the advertisement was referring to 'blowing your...mind' and that in this context the reference to cannabis use would be a reference that was likely to be against prevailing community standards on health and safety."*

Consistent with the determination in case 0495-18, the Panel considered that in the current advertisement the reference to cannabis use, particular in combination with a children's character and nursery rhyme, would be against prevailing community standards on health and safety.

**Section 2.6 conclusion**

The Panel considered that the advertisement did contain material contrary to Prevailing Community Standards on health and safety and determined that it did breach Section 2.6 of the Code.

**Conclusion**

Finding that the advertisement breached Sections 2.5 and 2.6 of the Code the Panel upheld the complaint.



### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

The advertiser has not provided a response to the Panel's determination. Ad Standards will continue to work with the relevant authorities regarding this issue of non-compliance.