



Case Report

1	Case Number	0090/16
2	Advertiser	Chrysler Australia Pty Ltd
3	Product	Vehicle
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	09/03/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

Advertising to Children Code 2.07 Parental Authority

DESCRIPTION OF THE ADVERTISEMENT

We open at a campsite. It is school camp. We see two young boys struggling to put up their tents. We see them awkwardly trying to put the poles together, but failing. Eventually they stop, frustrated. We cut to a perfectly set-up tent and another boy collecting firewood. One of the boys turns to the other and says, "I wish my parents had bought a Jeep" to which he replies, "Same". We then cut to driving footage of the Jeep Compass.

THE COMPLAINT

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

The implication is that if your family does not own a jeep the child does not fit in and cannot achieve what the children of a jeep owner can. Appalling to apply his pressure to children and thereby families as a whole

THE ADVERTISER'S RESPONSE

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

Fiat Chrysler Automobiles (FCA) ensures that advertisements screened in Australia comply with the AANA Code and FCAI Code and we take great care to ensure that our commercials do not depict scenes or behaviour that is contrary to prevailing public standards. FCA

strongly believes that the advertisement complies with the AANA Code of Ethics, and that the AANA Code for Advertising and Marketing Communications for Children does not apply to this advertisement.

The “I bought a Jeep” advertisement is positioned at our target audience of males/females 25-54. The “I bought a Jeep” advertising campaign has evolved from cementing the phrase in our core target’s vernacular, to convey that if a person buys a Jeep, he/she has a bit of the Jeep adventurous spirit inside him/her. Essentially, all our executions are aimed at showing what the possibilities are if you own a Jeep; being adventure, freedom and exploring the great outdoors. As an extension to the above, the “Camp” advertisement shows two boys displaying typical camping skills of a ten year old child, though the kid whose parents’ bought a Jeep is shown to have more experience (due to the amount of time Jeep owners spend in the great outdoors).

The complaint in question alleges that “the implication [of the advertisement] is that if your family does not own a Jeep the child does not fit in and cannot achieve what the children of a jeep owner can”.

AANA Code of Ethics

The ASB’s letter requires FCA to address the advertisement’s compliance with all parts of section 2 of the AANA Code. FCA does not believe that any issues would arise under sections 2.1 to 2.6. The only section of the AANA Code that may be remotely relevant is:

- Section 2.1: “Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.*

However, FCA respectfully submits that the complaint falls outside the scope of section 2.1, as the advertisement does not discriminate or vilify the children on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief. The children portrayed in the advertisement are all able-bodied Caucasian Australians, of the same gender and age.

AANA Code for Advertising and Marketing Communications for Children

The ASB also requested FCA to address the advertisement’s compliance with the Code for Advertising and Marketing Communications for children. FCA respectfully submits that the advertisement is not directed primarily to children and thus is not subject to the restrictions under this code.

The nature of our product offering is directed at adults given a/ the price point (starting from \$25.5k drive away) and b/ the fact that it is a motor vehicle. Our media strategy and buying is also based purely on targeting all people 25-54 and within this target, mums and dads make up a large portion of our buyers. The story in the TVC depicts a scenario that most mums and dads would be familiar with (the family camping trip) so is one that we feel would resonate strongly with them.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches the AANA Code for Advertising and Marketing Communications to Children (the Children’s Code) and the AANA Code of Ethics (the ‘Code’).

The Board noted the complainant’s concerns that the advertisement encourages pester power in its depiction of a young boy saying that he wishes his parents had bought a Jeep.

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

The Board considered whether the Children’s Code applied.

The Board considered the definition of advertising or marketing communication. Under the Children’s Code, Advertising or Marketing Communications to Children means “Advertising or Marketing Communications which, having regard to the theme, visuals and language used, are directed primarily to Children and are for Product.” The Board noted that Children are defined as “...persons 14 years old or younger” and Product is defined as “...goods, services and/or facilities which are targeted toward and have principal appeal to Children.”

The Board noted this advertisement features two boys erecting a tent which subsequently collapses and, after admiring the tent erected by boy on the pitch next to them, one of the boy’s comments that he wishes his parents had bought a Jeep.

The Board considered the practice note to the Children’s Code which states that “...it is not the intent of the AANA for this Code to apply to advertising or marketing communication which is directed at adults or older children, or advertising or marketing communication that may be seen by children, but is not directed primarily to them.”

The Board noted the theme of the advertisement which is the suggestion that parents who buy a Jeep do more travelling therefore their children are more au fait with erecting a tent and considered that the message is quite sophisticated and unlikely to be understood by most children. The Board noted the visuals of the advertisement. The Board noted that this advertisement is for a Jeep and considered that it is common for advertisements for motor vehicles to feature children in their advertising (0057/14, 0098/15). The Board considered that the inclusion of children in an advertisement does not of itself mean that the advertisement is directed at children. The Board noted the language in the advertisement and considered that although the child actors do speak they are immediately followed by an adult voiceover which says, “Drive far far away in a 2015 Patriot Sport from only twenty-five and a half k drive away...” The Board considered that this voiceover is clearly directed at adults as children are not in a financial position to purchase a Jeep.

Overall the Board considered that although the actors used are children the theme, language and visuals of the advertisement are directed at adults, not children.

The Board noted that the advertisement is for a motor vehicle and considered that this is not a product directed primarily to children.

The Board therefore considered that the advertisement is not directed primarily to children and the product, a Chrysler Jeep, is not a product directed primarily to Children and the

Children's Code did not apply.

The Board considered 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 the complainant's concerns with regards to children pestering their parents to buy a Jeep. The Board noted that it is not uncommon for children to comment that they wish they, or their parents, had a particular product and considered that an advertisement which reflects this scenario is not a breach of Prevailing Community Standards on health and safety.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

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