



Case Report

1	Case Number	0091/17
2	Advertiser	Nando's Australia Pty Ltd
3	Product	Food / Beverages
4	Type of Advertisement / media	Transport
5	Date of Determination	08/03/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This transport advertisement features an image of a Half Chicken and Chips with the headline: \$10 WTF. Underneath it reads, "Wed, Thu, Fri 1/2 Chicken and Regular Side". The Nando's logo is also on the advertisement, with the text "Nando's. Home of PERi-PERi Chicken" written next to it.

THE COMPLAINT

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

The letters WTF are known to contain an expletive which is offensive to many members of the public, including myself and my family. It is so offensive that when the word is stated on TV or radio, it is bleeped out, so as not to be heard. The fact that this ad states only the letters, which is common knowledge as an abbreviation for "what the f..." should still render this ad as being offensive, and therefore should not be allowed in public....on roads and on public transport!

This company is banking on the consumer to know what the letters stand for otherwise it would not write them.

In summary, just as the F word is offensive to the point of being bleeped in the public forum, so should the initials WTF...because the consumer doesn't just see WTF but sees "what the f..."

For me, this advert is the final straw to drive me to lodge a complaint about the language standards in both advertising and general broadcasting in this country.

There is too much of this advertising using inuendo such as "She Porked him", "BCFing Fun", "Fork You Friday" (on 96FM) and now "\$10 WTF" and as the Advertising Standards Bureau, you are allowing these advertisers to get away with what amounts to childish behaviour.

As a teacher of 30 years, I have observed the language standards of the children decline significantly and declining standards of advertising and broadcasting is contributing to this.

When I started teaching in the mid 80's I rarely heard a child swear in my classroom and these days I rarely have a lesson where I do not hear at least 1 child use the F word.

I have read the complaint and subsequent response from BCF, and that is the sort of response I get, and expect to get, from students in my class when I challenge them on their language. Hiding behind a technicality.

The people creating these adverts are intelligent people and I am quite sure are acutely aware of how the general public will interpret their slogan. While they might hide be a technicality that it is BoatING, CampING and Fishing, they want to use the slogan because it will get peoples attention because of the inuendo behind the slogan.

Back in the 70's Graham Kennedy imitated a Crow saying "Fark" on live TV and was banned from live TV for the inuendo.

I believe it is time you stopped condoning this type of advertising and upheld some standards.

We are rapidly approaching a point where the F word will be considered the norm.

THE ADVERTISER'S RESPONSE

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

We have considered the complaint and the advertisement in question in light of the provisions of the AANA Code of Ethics ("the Code").

We note that the nature of the complaint relates specifically to the concern that the advertisement in question contains inappropriate language. We have carefully considered the Code, and have assessed its provisions against the content of this advertisement. We submit that the advertisement does not breach the Code on any of the grounds set out in the same.

We note that provision 2.5 of the Code sets out that "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." We note that the advertisement in question does not include any strong or obscene language. The advertisement does employ the acronym "WTF" which is commonly accepted by most mature audiences to stand for "What The F--k", and is commonly used as a short hand in electronic communications for that phrase.

However in the case of this advertisement the acronym is clearly being used with an alternative meaning of “Wednesday Thursday Friday” as prominently qualified below the main headline. Most reasonable consumers in our view will recognise that use of the acronym is a subtle reference to the acronym’s other more common use, and appreciate the humour therein. That said, as no strong or obscene language actually appears in the advertisement at all, we submit that the advertisement does not breach provision 2.5 of the Code.

Further, we submit that the advertisement does not breach any other provisions of the Code.

Finally, we have considered the AANA Food & Beverages Advertising & Marketing Communications Code (“F&B Code”), and in our view, there are no provisions that are specifically relevant to this advertisement, as no claims with regards to nutrition or any of the other matters pertaining to the F&B Code are made. Accordingly, for the sake of completeness we submit that the advertisement is not in breach of any provision of the F&B Code.

THE DETERMINATION

The Advertising Standards Board (the “Board”) considered whether this advertisement breaches Section 2 of the AANA Advertiser Code of Ethics (the “Code”). The Board noted the complainants’ concerns that the advertisement uses language that is not appropriate for 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 advertisement is for a restaurant chain – Nandos - and includes the text “\$10 WTF” outlining the limited time offer of half a chicken and regular side on “Wed, Thur and Fri”. The Board noted that the advertising material appears on buses and the backs of taxis and is visible to a broad audience that would include children. The Board noted that it has previously considered advertisements which have used acronyms to appeal to a younger adult market (0331/11, 0566/09 and 0533/09). Consistent with previous decisions, the Board considered that the use of the acronym 'WTF' was not of itself strong or obscene language and could mean a variety of things. The Board considered it unlikely that that very young children would understand the acronym as having any meaning.

The Board also considered that older children and adults may notice the advertisement on the basis of the acronym but that in conjunction with the explanation, “Wed, Thur, Fri” it is reasonable that the WTF is consistent with the days of the week.

The Board considered that the use of WTF may be understood to suggest strong language by some members of the community, but that the use of the term WTF was, of itself, not language which is necessarily strong or obscene, or inappropriate in the circumstances.

The Board noted that the advertisement could be seen by children but considered that most members of the community would consider that the language in the advertisement was not inappropriate and was not strong or obscene.

The Board considered that the use of the acronym was not, in the context of this advertisement, inappropriate in the circumstances. The Board considered that the advertisement did not use strong, obscene or inappropriate language 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.