



**ADVERTISING  
STANDARDS  
BUREAU**

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## Case Report

|          |                                      |   |
|----------|--------------------------------------|---|
| <b>1</b> | <b>Case Number</b>                   | <b>0094/11</b>                          |
| <b>2</b> | <b>Advertiser</b>                    | <b>Fox Sports (Premier Media Group)</b> |
| <b>3</b> | <b>Product</b>                       | <b>Gaming</b>                           |
| <b>4</b> | <b>Type of Advertisement / media</b> | <b>TV</b>                               |
| <b>5</b> | <b>Date of Determination</b>         | <b>13/04/2011</b>                       |
| <b>6</b> | <b>DETERMINATION</b>                 | <b>Dismissed</b>                        |

### ISSUES RAISED

2.5 - Language      Use appropriate language

### DESCRIPTION OF THE ADVERTISEMENT

Advertisement for Fantasy NRL featuring a male voice over talking about what you could buy for \$4.4 million, such as a super car or fighter jet, before suggesting you could buy "the best friggin' footie team ever". [foxsports.com.au/fantasy](http://foxsports.com.au/fantasy).

### THE COMPLAINT

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

*Use of the word "friggin".*

### THE ADVERTISER'S RESPONSE

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

*I refer to your email dated 22 March 2011 in relation to a promotion for the FOX SPORTS NRL fantasy competition (NRL Fantasy Promotion) which would have been viewed by the complainant on subscription television on or before 22 February 2011.*

*Background*

*NRL fantasy is a competition available on the FOX SPORTS website ([www.foxsports.com.au](http://www.foxsports.com.au)) that allows NRL fans to be the manager of their own NRL 'fantasy' team by selecting players from the NRL competition within a budget of \$4.4 million. Depending on how well the NRL players perform in the actual competition determines how many points the manager's fantasy team scores each round. The promoter of the competition is Premier Media Group Pty Ltd (PMG) who owns and operates the FOX SPORTS subscription television channels and FOX SPORTS website.*

*To promote the NRL fantasy game, PMG produced the NRL Fantasy Promotion. The premise of the NRL Fantasy Promotion was to get users excited to play the NRL fantasy game by comparing what could be purchased with \$4.4 million. Previous fantasy games (including NRL fantasy) provided by PMG allowed users a budget of 100 'units'. This is the first time that the NRL fantasy game has included dollar amounts, making the game more realistic. We have previously provided the Advertising Standards Bureau (ASB) a digital copy of the promotion and are able to provide an additional copy if required. The NRL Fantasy Promotion does not have a CAD number as it has not been broadcast on free to air television. As the promotion was internally produced to promote a PMG competition and was scheduled by PMG for broadcast on subscription television, neither an advertising agency nor a media buyer were used.*

*AANA Code of Ethics – Section 2.*

*In your email you request that we address Section 2 of the AANA Advertiser Code of Ethics (Code).*

*Section 2.5: The complainant claims that the use of the word 'friggin' in the NRL Fantasy Promotion is in contravention of section 2.5 of the Code. The complaint does not provide any additional information. The Macquarie Dictionary ([www.macquariedictionary.com.au](http://www.macquariedictionary.com.au)) defines the word 'frigging' as a colloquial word that is used as an intensifier or to mean very, extremely. The use of the word 'friggin' in the NRL Fantasy Promotion is as an exclamation to emphasise that fantasy managers had a high realistic budget of \$4.4 million allowing them to create a fantastic fantasy team. The word was not used in an offensive or aggressive manner and is appropriate in the circumstances. Further, the language is not strong or obscene.*

*No other aspects of section 2 are relevant regarding the NRL Fantasy Promotion.*

*Other matters*

*In reviewing the complaint, it seems that this is the only complaint received by the ASB in relation to the NRL Fantasy Promotion. The NRL Fantasy Promotion has been broadcast on subscription television since 12 February 2011 and is still being broadcast and as far as I am aware, we have not received any other complaints in relation to the NRL Fantasy Promotion. In reviewing previous case reports on the ASB website, I note complaint 303/09. From reading the case report, the use of the word 'friggin' was similar to the use in the NRL Fantasy Promotion, that is, the use of the word was not offensive or aggressive and was consistent with its colloquial usage. We note that complaint 303/09 was dismissed by the ASB. As the provider of subscription television channels to over 7.2 million viewers nationally and Australia's most popular general sports website, PMG appreciates all feedback, whether it be positive or negative. This allows us to constantly adapt and improve our service and associated promotions. This complaint has been forwarded to the appropriate people within PMG for their information. At this stage we do not propose removing the NRL Fantasy Promotion from our broadcast schedule.*

## **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 complainants' concerns that the advertisement uses the term ‘friggin’.

The Board also noted the use of the word ‘friggin’ in the advertisement. The Board considered whether this language was in breach of section 2.5 of the Code which requires that ‘advertising or marketing communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided.’ The Board considered that the word ‘friggin’ was a generally accepted term in the community and although offensive to some people is not, in the Board’s view, strong or obscene language. The Board considered that the term was not inappropriate for a broad audience and noted that in this advertisement the term is not used in an offensive or aggressive manner.

The Board determined that the advertisement did not breach section 2.5 of the Code.

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