



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0131/14
2	Advertiser	My Plates
3	Product	Automotive
4	Type of Advertisement / media	TV
5	Date of Determination	23/04/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Ethnicity
- 2.1 - Discrimination or Vilification Lifestyle Choices

DESCRIPTION OF THE ADVERTISEMENT

A red Ferrari pulls up in a hotel car park. The driver exits the vehicle, closes the door and walks away. He is wearing a white shirt and grey trousers. At no time do you see his face clearly enough to tell the race or nationality of the driver.

The voice over is the car talking. The accent is Italian-like because the car, a Ferrari, is made in Italy. The car comments that people admire (“ogle”) the car all the time, and speculate as to what the driver might do for a living. This is a prevailing, common reaction from members of the public when they see people driving such a beautiful, and assumed (correctly) to be an expensive car.

The car states that he believes that it is akin to a criminal act to have ugly, yellow number plates on such a beautiful car.

The advertisement goes on to suggest to viewers that they can get better plates for their car from the new TECH range of number plates.

THE COMPLAINT

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

I object this ad classifying all Ferrari drivers to be the above as stated by the Ferrari on the ad.

I have been offended, how they made their money to buy a Ferrari this way.

THE ADVERTISER'S RESPONSE

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

Response to the complaint:

With respect to section 2.1 – Discrimination or Vilification Ethnicity

At no time is the race, nationality, ethnicity of the driver of the car evident in this commercial. Neither is the identity of the people looking at the car evident.

The voice over representing the thoughts of the car is in an Italian accent because the car, a Ferrari, is an Italian made car. It is completely reasonable for the car, if it could speak or voice its thoughts to do so in an Italian accent. In fact, it could be considered unrealistic and misleading to use any other accent.

In this context, we do not believe that this advertisement is in breach of the code.

With respect to section 2.1 – Discrimination or Vilification Lifestyle Choices

It is a common and prevailing normal reaction of the general community that when they see a beautiful and often expensive car, to speculate about what the driver does for a living. It is also a common and prevailing speculation that the driver of such a car makes their living by non-legitimate means.

Indeed, the car voice over states that he does not know what his driver does for a living.

We do not believe that the script of this advertisement discriminates against or vilifies Ferrari drivers or any other minority group for that matter.

In this context, we do not believe that this advertisement is in breach of the code.

Additional information

The TVC first went to air on 6 October 2013. It was aired between 6/10 and 17/11, 2013, and then again between 2/3 and 16/3, 2014.

It has been aired in Sydney metro, NNSW and SNSW television markets on networks 7, 9 and 10 and their associated digital channels.

In the first flight the TVC was aired as a 30 second and 15 second version. In the second flight it was aired as a 30 second version only.

In the first flight it was aired 396 times out of a total 1787 spots (22%) that made up this flight of our campaign.

In the second flight it was aired 93 times out of a total 918 spots (10%) that made up this flight.

Estimated cumulative audience exposure amongst People 18-39 (our buying target audience) for flight one was 4,096, 600.

Estimated cumulative audience exposure amongst People 18-39 (our buying target audience) for flight two was 865,200.

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 complainant’s concern that the advertisement suggests all Ferrari drivers have obtained their cars using illegal earnings such as drug money.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray 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.'

The Board noted that this advertisement features a Ferrari talking in an exaggerated Italian accent about passers-by who discuss what his owner does for a living: drug dealer, shady accountant or a 'wannabe mafioso'.

The Board noted the advertiser's response that the car is 'speaking' in an Italian accent because it is an Italian made car and considered that the advertisement does not make any reference to the nationality of the car's owner.

The Board noted that whilst the car comments on what passers-by think the owner does for a living, the advertisement does not make clear who the owner is or what they do. The Board acknowledged that the references to the Ferrari owner's potential job could be considered stereotypical but in the Board's view the advertisement is light hearted and the content does not amount to material which would be considered discriminatory towards people from Italy or people who own Ferraris.

The Board considered that in this instance the advertisement does not depict material which discriminates or vilifies any section of the community.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

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