



Case Report

1	Case Number	0159/17
2	Advertiser	Wicked Campers
3	Product	Travel
4	Type of Advertisement / media	Transport
5	Date of Determination	12/04/2017
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

- 2.5 - Language Inappropriate language
- 2.6 - Health and Safety Depiction of smoking/drinking/gambling
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

Wicked Campervan with slogan "Everyone feels the cold, except polar bears and hookers..." on the rear and a picture on the side of Snow White smoking a bong.

THE COMPLAINT

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

It's inappropriate to display slogans and pictures such as these. This vehicle was located on a very popular street of Burleigh Heads, a couple of hundred metres from Burleigh Heads State School. My daughter (6.5 years old) who can now read could easily have seen this slogan and the picture of a favourite Disney Princess of hers smoking a bong and asked many, many questions about it. I don't want to be put in this position and I'm sure there are many, many other parents that would feel the same as myself.

THE ADVERTISER'S RESPONSE

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

The advertiser did not provide a response to the complaint.

THE DETERMINATION

The Advertising Standards Board (the "Board") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Board noted the complainant's concern that the advertisement promotes the use of inappropriate language and an image that is not suitable for viewing by children.

The Board viewed the advertisement and noted that the advertiser did not provide a 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 van shows has an image of snow white on the side of the van smoking from a 'bong.' On the rear of the vehicle, the text read "everyone feels the cold, except polar bears and hookers."

The Board noted the use of the term 'hooker.' The Board noted that this term is the slang term for prostitute. The Board noted that most adults would understand the meaning of the word but considered that it is unlikely to be understood by a young audience.

The Board noted that the text appeared on the back of a van that included an image of snow white on the side of the same van. In the Board's view, the image of snow white would likely attract the attention of children. The Board noted that the text was not located next to the image and was not a reference to snow white herself.

The Board considered that as the word hooker is not explicit and would not be understood by children the text was not language that is inappropriate and was not strong or obscene in the context of a Wicked Camper van available to a broad audience.

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.

The Board then 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 image of the fairy tale character Snow White on the side of the van smoking.

The Board noted it had previously considered a case (0099/13) for the same advertiser where the same character – Snow White seen snorting a substance. In that case, the Board noted that "... that whilst it does not state what exactly Snow White is snorting up her nose, in the Board's view the depiction of the white powder lines is strongly suggestive of cocaine. The Board considered that to depict a familiar fairy tale character apparently snorting an illegal substance is not appropriate and amounts to a depiction of material which is contrary to prevailing community standards on drug use."

Similar to the case above, in this matter, the Board noted that there is no evidence that Snow White is smoking an illegal substance, however the device is commonly used for smoking substances such as cannabis. In the Board's view the depiction of a familiar fairy tale character seemingly smoking an illegal substance is not appropriate and amounts to a depiction of material which is contrary to prevailing community standards on drug use and did breach Section 2.6 of the Code.

Finding that the advertisement did breach the Code on other grounds, the Board upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertiser did not provide a response. The ASB will continue to work with the relevant authorities for compliance with this decision.