



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

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| 1 | Case Number | 0160/14 |
| 2 | Advertiser | World Mark Motor One |
| 3 | Product | Automotive |
| 4 | Type of Advertisement / media | Radio |
| 5 | Date of Determination | 14/05/2014 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The ad promotes the sale of an automotive window film product called Octane. A policeman approaches a man in his car and talks to him about the window tint and points out that it is the darkest tint allowed and how impressive it looks.

THE COMPLAINT

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

The advert is played at least 10 times a day, the siren is so loud I always think its a policeman behind me, and I take my eyes off the road. I thought police sirens in radio adverts were banned long ago.

THE ADVERTISER'S RESPONSE

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

We have been running this ad for approximately 10 years now on national radio and this is the first complaint.

The siren used in the ad is different to an actual police siren, so as to ensure there is no confusion. The siren is not loud compared to the rest of the advert. The siren is not distracting and is accompanied by words and sounds that are less likely to cause confusion.

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 concerns that the advertisement uses a siren that sounds like a police siren and that it could be unsafe.

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

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 that the advertisement features the sound of a siren and then the male driver talking to a police officer. The Police officer comments on the colour of the tint and that it is the darkest shade of tint legally allowed. The voiceover provides details of the store and the special being offered.

The Board noted that in this instance the advertisement depicts a scene that initially leads the listener into thinking that the driver is in trouble from the police but it is then made clear that this is not the case.

The Board noted that the use of the siren is used only briefly at the beginning of the advertisement and that it becomes clear very quickly that the advertisement is fictitious and not a likely incident to occur on the roads.

The Board noted that it had dismissed a similar complaint for a television advertisement for the Wholesale Paint Group (ref: 0159/14) where a siren was used. In this case the Board considered that

“the sound of siren may draw the attention of the viewer to the television but it would be apparent that the siren was being used for the purposes of the advertisement and not an actual emergency.”

Consistent with the decision above, the Board considered that the use of the siren in this matter is clearly not realistic and that the advertisement does not depict any material contrary to Prevailing Community Standards on health and safety.

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

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

dismissed the complaints.