



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0162/19
2	Advertiser	Ford Motor Co of Aust Ltd
3	Product	Vehicle
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	12/06/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

FCAI Motor Vehicles 2(b) Breaking the speed limit

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a blue Mustang GT approaches from afar until it comes into clear focus, when it decelerates, while a male voiceover quotes phrases about classic cars. The camera cuts to the interior where we see Tara Moss driving, who counters the male voice over before accelerating again. We then see some quick cuts of the Mustang cruising down the road, before moving to a rear angle of the Mustang moving into the distance.

THE COMPLAINT

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

I find this ad to be extremely inappropriate and offensive,as we have record High Road Toll here in Victoria.I though we were better than that to see a young lady driving a Ford Mustang at speed driving fast down a highway at speed!!It sends the wrong message that it is ok to drive fast, WRONG! How many more people will get injured or killed on our Roads?I see bad drivers every single day speeding through & around School Crossings and I have had enough!!Please I like to see this TV AD pulled and



placed in the rubbish basket before our Road toll increases.

Ford's motto is Go Further. I would contend it is Go Faster if you look at these ads. I'm not a Leftie, fuddy duddy nor a wowser but I think the new ads promoting the Ford Mustang are irresponsible. Please see links below. In the current climate where the road toll is significantly increased on last year – so much so that the Victorian government has called a crisis meeting to address this, I find it disturbing and again irresponsible that Ford would put to air commercial's that fragrantly romances, promotes speeding and how fast this car goes. Surely the advertising council should look at this ad. On one hand we have the TAC promoting 'Towards Zero' and on the other hand Ford working contrary to this promoting 'From Zero to 100' and way beyond.

Not being sexist, but I also find it troublesome that Tara Moss – a human rights advocate? is being used to target the female demographic. Marketers are more and more targeting new consumer bases like women with disposable income. We see it in alcohol ads where they promise women less calories if they drink a specific alcoholic beverage. And guess what females are drinking more! We've got enough drunk stupid testosterone filled idiot males on the road. We don't now need females of the same persuasion.

Advertising is a powerful medium that obviously influences peoples behaviour. Ford has a responsibility to represent the products they sell to be used in a 'safe' and responsible manner. (Ford also have a 4 cylinder Mustang but I don't see any ads promoting this model). I do not believe these ads do this and Ford should be called to account and review these ads.

<https://m.youtube.com/watch?v=Tpb-Kx4DkHY>

<https://m.youtube.com/watch?v=XiZfKjBgD5o>

https://m.youtube.com/watch?v=9CQqS_Sxvuo

THE ADVERTISER'S RESPONSE

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

We have taken the complaint raised very seriously and the Mustang TVC has been carefully considered by our marketing team and legal counsel.

In response, we'd like to point out the following:

- The entire Mustang TVC was filmed on a section of national highway 11 kilometres north of Deniliquin, NSW. The stretch of road used had a legal speed limit of 110 km/h and was closed to traffic by the Roads and Maritime Services, while being supervised by a safety officer and member of the NSW Police Force. The safety officer was on set to supervise and oversee all driving sequences. All road rules and speed limits were*



adhered to at all times and did the vehicle did not exceed 100km/h at any time. Specialised equipment was used to ensure the safety of the drivers and film crew. A permit to use the road was acquired through the Deniliquin Council.

- *A Confederation of Australian Motorsport (CAMS) licensed, professional driver was hired for filming the Mustang TVC and was behind the wheel of the Mustang for the majority of the driving scenes. Scenes with Tara Moss driving were either filmed with the Mustang stationary on a low-loader truck to depict background motion, or were filmed driving straight at a low cruising speed under controlled conditions, with no other vehicles (eg. camera cars) occupying the road. Note: Tara Moss is also CAMS licensed.*

- *The start of the Mustang TVC shows the vehicle moving at a constant highway speed and as it approaches, it slows to a lesser constant speed. When the vehicle then accelerates again at the 20 second mark, the speedometer starts at 78km/h and increases to 88km/h. The following scenes display various viewpoints and angles of the vehicle during that same acceleration sequence.*

- *There is never any break in traction nor any erratic manoeuvres. The Mustang is travelling in a controlled straight line and at speeds that are appropriate for the road, conditions and general environment throughout the duration of the Mustang TVC.*

- *If the complainants' view is that the sound of the V8 engine causes the impression of speed, it should be noted that all exhaust and engine sounds in the Mustang TVC were captured on set and are a true and accurate depiction of the vehicle and directly align with its motions as shown in the TVC. The sounds were not modified in any way.*

We believe that, given the Mustang is depicted in an expansive and controlled environment on an empty closed road driving in a straight line and always at speeds below the legal limit, the Mustang TVC does not depict, encourage or condone excessive speed nor dangerous, illegal, aggressive or reckless driving.

Issues arising under section 2 of the AANA Code

Ford Australia submits that in respect of Mustang TVC, no issues arise under section 2 of the AANA Code. The Mustang TVC:

- *Does not portray people 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 (Section 2.1 of the AANA Code);*

- *Does not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people (Section 2.2 of the AANA Code);*

- *Does not present or portray violence unless it is justifiable in the context of the*



product or service advertised (Section 2.3 of the AANA Code);

- Does treat sex, sexuality and nudity with sensitivity to the relevant audience (Section 2.4 of the AANA Code);*
- Does only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium) (Section 2.5 of the AANA Code); and*
- Does not depict material contrary to prevailing community standards on health and safety (Section 2.6 of the AANA Code).*

If Ad Standards considers that any other issues arise under the AANA code, Ford requests the opportunity to be informed of Ad Standard's views in that regard so that an appropriate response can be made.

THE DETERMINATION

The Ad Standards Community Panel (Panel) was required to determine whether the material before it was in breach of the Federal Chamber of Automotive Industries Voluntary Code of Practice for Motor Vehicle Advertising (the FCAI Code).

To come within the FCAI Code, the material being considered must be an advertisement. The FCAI Code defines an advertisement as follows: "matter which is published or broadcast in all of Australia, or in a substantial section of Australia, for payment or other valuable consideration and which draws the attention of the public, or a segment of it, to a product, service, person, organisation or line of conduct in a manner calculated to promote or oppose directly or indirectly that product, service, person, organisation or line of conduct".

The Panel considered whether the advertisement was for a motor vehicle. Motor vehicle is defined in the FCAI Code as meaning: "passenger vehicle; motorcycle; light commercial vehicle and off-road vehicle". The Panel determined that the Ford Mustang was a Motor Vehicle as defined in the FCAI Code.

The Panel determined that the material before it was an advertisement for a motor vehicle and therefore that the FCAI Code applied.

The Panel noted the complainants' concerns that the advertisement shows the vehicle speeding and promotes speeding.

The Panel then analysed specific sections of the FCAI Code and their application to the advertisement.



The Panel noted that the motor vehicle advertisement depicts a blue Mustang GT as it approaches from afar until it comes into clear focus, when it decelerates, while a male voiceover quotes phrases about classic cars. The camera cuts to the interior where we see Tara Moss driving, who counters the male voice over before accelerating again. We then see some quick cuts of the Mustang cruising down the road, before moving to a rear angle of the Mustang moving into the distance.

The Panel considered clause 2(b) of the FCAI Code. Clause 2(b) requires that “Advertisements for motor vehicles do not portray: people driving at speeds in excess of speed limits in the relevant jurisdiction in Australia in which the advertisement is published or broadcast.”

The Panel considered the complainants’ concern that the advertisement depicted the vehicle speeding along the highway.

The Panel considered that there was a depiction of the speedometer in the advertisement and it shows the vehicle accelerating to 88km/h before the scene cuts away. The Panel noted the advertiser’s response that the advertisement was filmed on a road with a speed limit of 110km/h. The Panel considered that many Australian roads similar to the one depicted have a speed limit of 100-110km/h. The Panel noted that the vehicle may have accelerated beyond the 88km/h depicted in the advertisement, and considered that while it is unclear what speed was eventually reached, it is unlikely to have been a speed which breached the law.

The Panel considered that although the engine sound is prominent in the advertisement, particularly during the acceleration scene, this is common for Mustang V8 models like the one in the advertisement and is not of itself a depiction of excessive speed.

The Panel considered that the advertisement did not breach Clause 2(b) of the FCAI Code.

The Panel noted a complainant’s concern that Tara Moss is being used to target the female demographic. The Panel considered that advertisers are free to target whatever demographic they wish, and the use of a woman in the advertisement is not a breach of the FCAI Code, or the Code of Ethics.

Finding that the advertisement did not breach Cause 2(b) of the FCAI Code or any other section of the FCAI Code, the Panel dismissed the complaint.

