



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0203/14
2	Advertiser	Chrysler Australia Pty Ltd
3	Product	Vehicle
4	Type of Advertisement / media	TV
5	Date of Determination	11/06/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

The Advertisement shows a woman strolling through olive groves having just left a party (not shown on-screen), enjoying and taking in her surroundings. As she wanders through the groves, she spots a worker tending to the trees and decides to have a bit of fun. She starts running through the groves laughing as he tries to playfully catch her.

The woman then emerges next to a country road and we see her smile knowingly at what is in front of her. We then cut to what the woman has seen; a handsome driver of an Alfa Romeo Giulietta loading oranges into his car that he has just bought from the roadside fruit vendor. We see him smile at the woman.

We then see the worker from the olive grove reach the road and he just sees the Giulietta driving off into the distance. He asks the vendor if he has seen a woman get into the car.

At which point the fruit vendor replies 'That's not a car mate, that's an Alfa Romeo.'

The Advertisement then cuts to a driving shot of the car with the price point offer.

THE COMPLAINT

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

The woman gets into a car with a stranger based solely on the fact that he has a luxury car. This sends messages to young girls that a wrong and potentially dangerous.

THE ADVERTISER'S RESPONSE

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

In the Complaint, the complainant alleges that the woman in the Advertisement is shown getting into a car with a stranger based solely on the fact that he has a luxury car; and that through this the Advertisement is sending messages to young girls that are wrong and potentially dangerous.

The tone of the Advertisement is light hearted and deliberately shot in a way to create a sense of romance.

The storyline of the Advertisement is up to interpretation as at no point is the target audience certain whether the driver of the Alfa Romeo is a stranger to the woman or not – he could just as easily be her boyfriend that she was on her way to meet but decided to have a bit of innocent fun as she wandered through the olive groves.

The sole purpose of the fruit vendor's delivery of the line 'That's not a car mate, that's an Alfa Romeo' is to position what the Alfa Romeo brand stands for. With the heritage behind Alfa Romeo, it is much more than just a car, as there is over a hundred years of history in the brand and people who choose this brand have as much an emotional reason to purchase as they do a rational one.

In this execution, the inclusion of the brand line is to bring awareness to FCG's positioning of Alfa Romeos, not imply that a woman would only be interested in the man because he drives a luxury car.

Given that the Alfa Romeo appeals equally to men and women it was FCG's intention to portray all characters in the Advertisement as strong, confident and empowered, regardless of gender. In the Advertisement, the woman is shown to be extremely self-assured and certainly comfortable with the choices she has made – she is not in any way depicted as impressionable or in any sort of danger.

There is no material contrary to prevailing community standards on safety intended or sought to be shown in the Advertisement, particularly for the Advertisement's target audience of males and females 29-54 years.

4. AANA Advertiser Code of Ethics (the "AANA Code")

I note that you request FCG to respond to the Complaint with reference to Section 2 of the AANA Code. This section deals with the AANA Code specifically and sets out FCG's comments in relation to the specifics of the Complaint, while issues relating to the FCAI Code are dealt with in Section 5 below.

FCG does not believe the Advertisement breaches any part of Section 2 of the AANA Code. In

particular, it is our view that the Advertisement:

(a) does not discriminate against or vilify any person or section of the community (section 2.1);

(b) does not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people (section 2.2);

(c) does not portray violence (section 2.3);

(d) does not portray sex or sexuality or alternatively treats sex, sexuality or nudity with sensitivity to the relevant audience (section 2.4);

(e) does not contain strong or obscene language (section 2.5); and

(f) does not depict material contrary to prevailing community standards on health and safety (section 2.6).

5. The FCAI Code

This section addresses the FCAI Code.

FCG sees no basis for construing the Advertisement as being in breach of any part of clauses 2(a) to (e) of the FCAI Code as FCG believes that the Advertisement does not depict:

(a) any unsafe driving that would breach any Australian law. The FCAI Code refers to examples such as excessive speed, sudden, unnecessary changes in direction, unnecessarily setting motor vehicles on a collision course.

The Advertisement does not in any way display this.

(b) people driving at speeds in excess of the limit.

The Advertisement does not in any way display this.

(c) any driving practices or other actions that would breach any Commonwealth law or the law of any State or Territory in the relevant jurisdiction. For example, use of hand held mobile phone, not wearing seatbelts.

There is no evidence that the Advertisement contains depiction of any practices that would breach any Commonwealth law or the law of any State or Territory in the relevant jurisdiction.

(d) any people driving whilst fatigued or under the influence of drugs or alcohol.

The Advertisement does not in any way display this.

(e) any environmental damage whatsoever.

There was no environmental damage depicted or caused by the creation of this Advertisement.

FCG further confirms that:

- (i) The Advertisement has been released nationally; and*
- (ii) The Advertisement has been made available on the internet.*

FCG takes its responsibilities as an importer and distributor of motor vehicles seriously and this extends to FCG's obligations under the AANA Code and the FCAI Code. When preparing advertisements including the Advertisement FCG is conscious of the provisions of the AANA Code and the FCAI Code.

FCG believes that the Advertisement is advertising Alfa Romeos appropriately, with no intention to undermine the provisions of the AANA Code and/or the FCAI Code. As such, FCG does not believe that the Advertisement breaches either the AANA Code or the FCAI Code and therefore requests that the Complaint be dismissed.

FCG will endeavour to continue to produce advertisements consistent with the standards as set down by the AANA Code and the FCAI Code.

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 shows a woman getting into a car with an apparent stranger and that this sends the wrong message about safety and being aware of strangers.

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 a woman strolling through an olive grove and playfully flirting with a worker. The woman then reaches a country road and sees a man loading oranges into his car. The worker from the olive grove reaches the road and he just sees the car driving off into the distance. He asks the vendor if he has seen a woman get into the car. The vendor replies 'That's not a car mate, that's an Alfa Romeo.' The Advertisement then cuts to a driving shot of the car with the price point offer.

The Board noted that the advertisement is clearly meant to appear fictitious and light hearted and that the theme of the advertisement is that the woman is attracted to the car being promoted ie: the Alfa Romeo Giulietta.

The Board noted that it is not possible to determine whether the woman did know the man driving the car although it is clearly the suggestion that she does not. The Board recognised the concern raised by the complainant, but considered that the advertisement depicts the scene in a way that does not condone or encourage unsafe behaviour. The Board considered that in this instance, the issue raised regarding unsafe behaviour around strangers is an

interpretation of the advertisement that is unlikely to be shared by the broader community. The Board considered that the advertisement is not encouraging or condoning unsafe behaviour regarding strangers and that the depiction does not amount to material that would be considered contrary to prevailing community standards on health and safety and 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.