



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	0206/18
2	Advertiser	Wicked Campers
3	Product	Travel
4	Type of Advertisement / media	Promo Material
5	Date of Determination	09/05/2018
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

Wicked Camper Van registered in South Australia: S 083 BSP
Slogan on back of van states "Weed is not a drug. It's a plant. I'm not a dealer. I'm a florist."

THE COMPLAINT

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

They are promoting that it is okay to break the law because they don't believe it is correct

THE ADVERTISER'S RESPONSE

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





Advertiser did not provide a response.

THE DETERMINATION

The Ad Standards Community Panel (“Panel”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Panel noted the complainant’s concern that the advertisement features wording which promotes breaking the law.

The Panel viewed the advertisement and noted the advertiser did not provide a response.

The Panel noted that this transport advertisement features the slogan ‘Weed is not a drug. It’s a plant. I’m not a dealer. I’m a florist.’

The Panel 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 Panel noted the complainant’s concerns that the advertisement is promoting that it is okay to break the law and deal drugs.

The Panel considered that cannabis use, distribution and possession is illegal in Australia, although possession of small amounts has been decriminalised in some states and territories.

The Panel noted that it must determine whether the messaging on the campervan is contrary to prevailing community standards on Health and Safety.

The Panel considered that the advertisement is making light of being a drug dealer by suggesting that it is akin to being a florist.

The Panel noted they had recently found an advertisement which featured references to illegal drugs to breach Section 2.6 of the Code in case 0070/18, in which:

“The Panel considered that the issue of drug use, particularly drugs like ice, is an issue of considerable concern to the community. The Panel considered that the advertisement may not go as far as to glamorise drug use, but considered that it did trivialise an important issue by suggesting that using or manufacturing drugs like meth is not something to be taken seriously”.



Consistent with the determination in case 0070/18, the Panel considered that while the advertisement may not go so far as to glamorise drug use or sale, it does trivialise and important issue by suggesting that dealing an illegal drug is not something to be taken seriously.

The Panel considered that many members of the community would consider dealing an illegal substance to be unsafe and that it could result in negative health outcomes.

The Panel considered that there are some members of the community who would consider cannabis use to not be against prevailing community standards, particularly for medicinal purposes.

The Panel however considered that the advertisement was referring to being a 'dealer' and selling 'weed' and that in this context the reference to dealing cannabis would be a reference that was likely to be against prevailing community standards on health and safety.

The Panel considered that the advertisement did depict material contrary to Prevailing Community Standards on health and safety regarding water safety and did breach Section 2.6 of the Code.

Finding that the advertisement did breach Section 2.6 of the Code, the Panel upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION