



Case Report

1	Case Number	0228/11
2	Advertiser	Diesel Clothing Australia
3	Product	Clothing
4	Type of Advertisement / media	Billboard
5	Date of Determination	13/07/2011
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.6 - Health and Safety within prevailing Community Standards
2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

The advertisement is an image of a couple fully dressed, kissing and being intimate inside a commercial size dryer. The tagline reads "Trust Stupid." Be Stupid - Diesel.

THE COMPLAINT

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

This advertising encourages young people to make stupid decisions associating stupid decisions with being cool. In light of the cost to the community of young people making stupid decisions (unwanted pregnancies involvement with drugs drinking etc) this seems incredibly irresponsible.

THE ADVERTISER'S RESPONSE

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

No response was received.

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 encourages young people to make stupid decisions.

The Board reviewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of 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 is a billboard and depicts a young couple embracing in a commercial washer/dryer.

The Board noted that the advertiser had not replied to the complaint.

The Board noted the overall campaign which is designed to associate ‘stupidity’ as tagged by parents as actually being ‘forward thinking and innovative.’

The Board considered the current image. The Board considered that the image of people inside a commercial washer/dryer, accompanied by a clear call to action to be ‘stupid’ was likely to encourage reckless behaviour. The Board considered that an image of young adults or young people inside a commercial appliance is irresponsible and a depiction of what most people would consider, unsafe behaviour. In the context of this particular advertisement the reckless behaviour is a depiction that, in the Board’s view, is contrary to prevailing community standards around safety. In the Board’s view the advertisement depicts material that is contrary to prevailing community standards around safety and breaches section 2.6 of the Code.

Based on the above, the Board determined that the advertisement did depict material contrary to prevailing community standards on health and safety and did breach Section 2.6 of the Code.

ADVERTISER RESPONSE TO DETERMINATION

The Diesel ‘Be Stupid’ campaign concluded in Australia in July 2011. Both outdoor advertising and print advertising will not run again in this market place

