



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	0292/18
2	Advertiser	The Hospital Research Foundation
3	Product	Community Awareness
4	Type of Advertisement / media	Transport
5	Date of Determination	11/07/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This transport advertisement shows a fork with one prong extended in a "give the finger" finger gesture alongside the text "Feed Hope. Fork Cancer".

THE COMPLAINT

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

This huge advert, covering the entire back of a city bus, is simply vulgar and borders on the obscene. Each morning my wife and I drive our 9-year old to school right behind a bus with this ad. In the evening we drive our 14-year old daughter to classes with the same in-your-face ad staring at us as we sit in traffic. Apart from the children, I do not want to be subjected daily to this puerile, sniggering vulgarity.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this





advertisement include the following:

To whom it may concern,

Please find below response to complaint reference number 0292/18

The Longest Table (TLT) is a peer-to-peer fundraising campaign which encourages people to host a dinner with friends and family to save lives from cancer. It is an annual fundraising campaign for The Hospital Research Foundation, a South Australian charity supporting people in the community by funding medical research and patient care in our hospitals.

Our aim was to develop a concept which will have cut through, grab attention and inspire people to take action and register as a host for The Longest Table in 2018.

The advertisement in question gained the necessary approvals including meeting the Transport guideline requirements for the bus advertisement. A copy of the ad in placement is attached. The Ad set out to highlight through a food analogy that cancer is bad. The image of the fork draws on the passion many have for eradicating the pain this disease causes and connecting to a food related event that people can participate in to help.

Our approval process included sending the artwork to the Outdoor Media Association (OMA), who referred the artwork to Ad Standards, who in turn suggested amendments.

The feedback and action taken in an effort to comply with the standards was;

“We are of the view that this advertisement is likely to receive complaints under Section 2.5 of the Code, particularly relating to the potential broad community audience including children that a transport advertisement would be seen by. It is possible that the Panel would find that proposed content would breach section 2.5.

We suggest that the following may assist with compliance:

- Including some information about what the longest table is to establish relevance. A simple written message aligning the concepts – for example ‘Host a dinner with friends to help save lives from cancer’ - may establish a stronger link between the imagery of a fork, the word FORK and the event.”

The artwork was subsequently revised.

THE DETERMINATION



The Ad Standards Community Panel (the 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 uses inappropriate language.

The Panel viewed the advertisement and noted the advertiser's response.

The Panel considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided".

The Panel noted that this transport advertisement features a picture of a fork with one tine bent up to resemble a hand with the middle finger extended. The words 'Feed Hope. Fork Cancer.' and information about the Longest Table fundraiser is included.

The Panel noted the complainant's concern that the language depicted is vulgar and not appropriate to be seen by children.

The Panel noted the advertiser's response that the fork and the words 'fork cancer' are intended to highlight the passion that many people have for eradicating the pain this disease causes and a food related fundraising event that people can participate in.

The Panel first considered the image of the fork. The Panel noted the Practice Note for this Section of the Code states "Non-verbal representations of the "f" word are also not permitted". The Panel noted that it had previously considered gestures to be included under Section 2.5 of the Code in a number of cases.

The Panel noted it had previously considered a complaint against a billboard advertisement featuring a cartoon style electricity plug to insinuate an extended middle finger ie: "giving the bird" to current electricity providers. The Panel dismissed complaints against this advertisement, finding:

"The Board noted that... the image is not a real hand but a power plug with prongs bent down to make the straight prong appear to be an extended middle finger. The Board noted that the target audience for the advertisement is adults who would be interested in electricity suppliers. The Board considered that... the use of the plug is a stylised image and is not as easily seen as a particular gesture and is less likely to be understood by young children as a rude gesture. The Board considered that although the image in connection with the text is alluding to an offensive gesture, it is stylised and therefore relatively subtle and did not feature language or a gesture which is



inappropriate in the circumstance and that the advertisement did not breach Section 2.5 of the Code.”

In the current advertisement the panel considered that the position of the fork is not easily seen as a hand and was unlikely to be seen as a rude gesture by young children.

The Panel considered the image of the fork, the image of food and the word ‘fork’ were all related and the overall visual impression of this advertisement was of a food-related event and would not be considered strong, obscene or inappropriate for a broad audience.

The Panel the considered the use of the words ‘fork cancer’. The Panel noted it had previously considered a billboard advertisement which featured the words ‘Eat the Best, Fork The Rest’ in case 0582/17, in which:

“The Board noted that the word ‘fork’ is used in a manner that suggests that other products should not be eaten in favour of the advertised product and that there is a suggestion of the word ‘fuck’.

The Board noted that it had previously considered substitutes for the f word in advertising such as ‘effing’ (0434/16 and 0277/15) and ‘friggin’ (0311/15). In these cases the Board has determined where the word is not used in an overly aggressive manner this does not amount to strong or obscene language.

In the current advertisement the Board considered that the suggestion of strong language was mild, with the word ‘fork’ being not out of place in conjunction with an image of the advertised product.

The Board considered that the word ‘fork’ was not strong or obscene language and was not inappropriate for a billboard advertisement seen by a broad audience which would include children.”

In the current advertisement, the Panel considered that the advertisement can be interpreted as a reference to a stronger word, but considered that it is clearly the word ‘fork’ that is used.

The Panel noted that the phrase ‘fuck cancer’ is commonly used online and in hashtags as a way to highlight the anger and pain that is associated with the disease.

The Panel considered that the phrase ‘fork cancer’ in combination with an image of a fork and in the context of an advertisement for a cancer research fundraiser through hosting a dinner, was not inappropriate language.

The Board considered that the word ‘fork’ was not strong or obscene language and



was not inappropriate for a billboard advertisement seen by a broad audience which would include children.

Overall, the Panel considered that the use of the word 'fork' and the depiction of a fork stylised to look like a hand with its middle finger extended was not a depiction that would be seen to use strong, obscene or inappropriate language. The Panel determined that the advertisement did not breach Section 2.5 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaint.

