



Case Report

1	Case Number	0318/11
2	Advertiser	Dangerfield Pty Ltd
3	Product	Clothing
4	Type of Advertisement / media	Poster
5	Date of Determination	24/08/2011
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

2.5 - Language Use appropriate language

DESCRIPTION OF THE ADVERTISEMENT

A red poster with black text advertising the Dangerfield winter sale weekend in July. The text reads, "Dangerfield F*ck Off Winter Sale 50% off original price this weekend Fri 29th, Sat 30th and Sun 31st July".

THE COMPLAINT

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

I find the language in the advertisement unacceptable for advertising in a public place. The replacement of the "u" with an additional offensive gesture does not negate the impact of the offending word and I believe compounds the offence.

THE ADVERTISER'S RESPONSE

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

Whilst alluding to an offending word, no specific offensive language was used on the poster. Dangerfield did not intend to offend anyone.

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 used language that is unacceptable for advertising in a public place.

The Board viewed the advertisement and noted the advertiser’s response

The Board 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 and strong or obscene language shall be avoided.”

The Board noted that this advertisement is promoting a sale for a clothing range and features text on a poster which suggests the use of the word “fuck” where the “u” has been replaced with an image of a hand with the middle finger extended.

The Board noted the advertiser’s response that no specific offensive language was used and that the poster was not intended to offend anyone.

The Board considered that although the word ‘Fuck’ was not used in its entirety and has a letter replaced with an image, it is very clear that this is the word being alluded to. The Board noted that the F word is a word that is still considered strong if not obscene by the broader community. The Board noted that the whole word “fuck” is not used (as was the case in the recently upheld case for Bimbo Delux, ASB ref 0238/11) however the use of the image of an extended middle finger which is used to replace the ‘u’ is understood by the broad community to be offensive and in the Board’s view amounts to strong or obscene language.

The Board noted that in youth culture the term “fuck off” is more widely used and could be used to signify “great” however the Board noted that this poster advertisement would be available to a wide audience and that in the context of an outdoor location the prominent use of such language is inappropriate.

Based on the above the Board determined that the advertisement used strong and obscene language which was not appropriate and that it did breach Section 2.5 of the Code.

Finding that the advertisement breached Section 2.5 of the Code, the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

Dangerfield has discontinued the ad and made sure that signage was removed. Signage was removed on July 31 before the complaint was lodged. We have noted the complaint and will refrain from using obscene language to avoid further breaches of Section 2.5 of the Code. Please also note that there was an attempt to modify the ad before it went to print but the ad was issued earlier than requested. The issuer of the advertisement is no longer employed with Dangerfield.