



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0334/18
2	Advertiser	Cotton On
3	Product	Clothing
4	Type of Advertisement / media	Poster
5	Date of Determination	08/08/2018
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

2.5 - Language Strong or obscene language

DESCRIPTION OF THE ADVERTISEMENT

This poster advertisement reads "The Fucking Huge Sale". The "uc" in "fucking" is covered by a "Censored by Typo" emblem that looks like a sticker.

THE COMPLAINT

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

I object to this line of advertising because it appears in shopping centers on posters. There are many children in shopping centers that see the advertising and understand exactly what it is censoring by covering 2 letters. It makes the use of that language appear common place and used by all. Typo has a lot of young followers and teaching young people that it is ok to use that style of language is wrong. It pulls down society as a whole.



I am offended by the inference of coarse language in the poster in full view in shop window. This is not appropriate.

The word 'fucking' is used in the poster, to describe the sale. The letter 'u' is barely covered by a small sticker.

The poster is in full view of anyone walking by, whether wanting to shop there or not. Our three children aged 9 - 12, were all able to very quickly work out what the word is. We happened to see it at two of their stores, Wasteland and city, during school holidays, with many children around. This store has introduced profanities into a public space and encourages swearing. Many of their products are also aimed at children.

THE ADVERTISER'S RESPONSE

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

Re: Complaint reference number: 0334/18 – Cotton On

We refer to the complaints lodged with the Advertising Standards Bureau on 12 and 13 July 2018 regarding a recent Typo promotional campaign ("Typo Campaign"). A copy of the Typo Campaign has been included on page 2 for ease of reference.

The Typo Campaign is alleged to be in breach of Section 2.5 of the Code. Section 2.5 requires advertising to use language which is appropriate and to avoid strong or obscene language.

The Typo Campaign contained writing which said "The F" censored by Typo" king Huge Sale". The "u" and the "c" in the second word, being hidden by what is to look like a sticker (but is actually part of the print poster). No actual profanity or swear word is shown on the Typo Campaign.

Typo's demographic targeted customer is aged 18-35. While it is definitely not our intention to offend any of our customers, Typo is a fun and quirky brand with a wide range of products to capture various types of humour. Our slogans are intended to be fun, in jest, and perhaps a little cheeky.

In any event, we do not consider there is any strong or obscene language in the Typo Campaign.

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 complainants' concerns that the advertisement uses offensive



language and is inappropriate to be seen by children.

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 poster advertisement reads "The Fucking Huge Sale". The "uc" in "fucking" is covered by a "Censored by Typo" emblem that looks like a sticker.

The Panel noted the complainants' concern that the language is offensive and inappropriate for a child to view.

The Panel noted the advertiser's response that no actual profanity is used in the advertisement. The Panel noted that the word 'fuck' was partially obscured however considered that people would still be easily able to see and understand what was written. The Panel considered that the use of the yellow censor sticker draws attention to the word "fucking".

The Panel noted it had previously upheld a similar instance of the word "fuck" being partially obscured in case 0034/17 in which:

"The Board noted the advertiser's response that the phrase "F*CK UNFIT!" is intended to be motivational and considered that while this may be the case, in the Board's view many people still find references to the F word to be strong and obscene. The Board noted that the phrase, "F*CK UNFIT!" is very clear in each version of the advertisement and considered that most children would be able to read it and understand it, and in the Board's view, many adults would find this phrase to be strong, obscene and not appropriate in the context of large posters inside a gym."

The Panel considered the advertiser's response that the target audience was people aged 18-35. The Panel considered that although that age range is the target demographic, this poster is displayed in front windows of stores and the actual audience is broad and includes children.

The Panel also noted its community standards research (https://adstandards.com.au/sites/default/files/2017_community_perceptions_web.pdf) which supported the Panel's view that, particularly in public areas and areas where children can see the material, the community view is that this term is strong or obscene language and is not appropriate to be used in advertising in a public medium.

The Panel considered that the language used in the advertisement is strong and is not appropriate for a broad audience and determined that the advertisement did breach



Section 2.5 of the Code.

Finding that the advertisement did breach Section 2.5 of the AANA Code of Ethics, the Panel upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

We note the response regarding the poster campaign, and confirm that all posters were removed and destroyed on July 26th. We also updated our swearing guidelines to ensure that swearing (even if censored) will not be displayed in our windows going forward. These guidelines have already been republished within brand to ensure a consistent approach is followed. The guidelines were approved by our internal Ethics Committee on 25/7/18.