



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0338-19
2. Advertiser :	13cabs
3. Product :	Automotive
4. Type of Advertisement/Media :	TV - On Demand
5. Date of Determination	23-Oct-2019
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.5 Language

DESCRIPTION OF ADVERTISEMENT

This TV on Demand advertisement features a man wearing lycra walking into his garage and putting on a helmet. He sighs and readjusts his shorts. He then takes off his helmet and walks back into the house. The words '13cabs, official travel partner of CBF'd' appear on screen.

THE COMPLAINT

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

Offensive. This is abbreviation for 'Can't be fucked'. This is inappropriate and normalises offensive phrases. I was offended and don't want my kids to see this used.

THE ADVERTISER'S RESPONSE

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



The entirety of this campaign, 'Official Travel Partner of...' is designed to tap into the relevant social commentary of the 13cabs audience group, aged 18 – 55. Therefore, it purposely references themes, trends and language that is commonly used in order to resonate directly with this audience.

Clear Ads reviewed the commercial and we have met all of their requirements. Ratings advice was given and has been adhered to. Please find attached Clear Ads' classification of the commercial which are the subject of the complaint.

The programming in which these commercials appeared was curated to ensure any themes or content fit within the parameters of the program being watched.

Specific Programming information for this commercial is as follows:

Catch up TV on Nine:

- CBF'd has a demo targeting of M25-45 applied*
- All efforts have been made to ensure that this placement is only served to people within the desired demographic, however there are limitations with connected TV targeting as the networks do not pass back demo data to us on all impressions.*
- TVC CAD classified G – placements all in line with rules applicable across free to air TV*

In response to complaint case number 0338-19 and the issue raised therein, Section 2.5 – Language of the AANA Code of Ethics Practice Note (November 2018) specifically states:

"Words and acronyms that play on the 'f' word, e.g. WTF and LMFAO, but do not use the actual word are normally considered acceptable if used in a light hearted and humorous way, are in subtitle rather than spoken word and are appropriate to the situation."

In the commercial titled "CBF'D", no insensitive language is either written or spoken, the commercial is light hearted in nature and the underlying themes are accordingly all suggestive only to ensure that only a mature audience could read into and understand the sub-text. We draw the Community Panel's attention to the attached Clear Ads' classification of the advertisement in which they rated the commercial a 'G'.

Whilst we are of the view that our commercial does not breach Section 2.5 of the AANA's Code of Ethics, we will take into consideration the comments and concerns of the complainant for future advertising and marketing campaigns.

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 language which is inappropriate on television at a time when it is likely to be viewed by children.

The Panel viewed the advertisement and the noted 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 the inclusion of the phrase "CBF'd" in the advertisement and that this would be understood by most young adults to mean "Can't be fucked" – however these words are implied only. The Panel noted the advertiser's response that they targeted males aged 25-45 in programming selection.

The Panel noted the Practice Note for Section 2.5 of the Code which provides:

"Words and acronyms that play on the 'f' word, eg WTF and LMFAO, but do not use the actual word are normally considered acceptable if used in a light-hearted and humorous way, are in subtitle rather than the spoken word and are appropriate to the situation."

The Panel noted that they had previously considered advertisements that used the terms 'WTF' ([0372/17](#), [0500/17](#)) and 'BCFing' ([0023/17](#), [0573/16](#)) and in these cases had determined that the language was not strong or obscene and did not breach Section 2.5 of the Code.

Consistent with previous determinations, the Panel considered that the language used in the advertisement is not inappropriate in the context, and that although there is an implication of strong language there is not strong or obscene language used in the advertisement. 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.