



Case Report

1	Case Number	0360/16
2	Advertiser	Wicked Campers
3	Product	Travel
4	Type of Advertisement / media	Transport
5	Date of Determination	14/09/2016
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

- 2.5 - Language Strong or obscene language
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This transport advertisement features on the side of a Wicked Campers van and depicts a toaster with a smiling face and the text, "Fucking Toasted".

THE COMPLAINT

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

Swearing and drug referencing....offensive to whole community. My children were particularly upset.

THE ADVERTISER'S RESPONSE

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

The advertiser did not provide a response.

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 features swearing and a reference to drugs which is offensive and inappropriate for a broad audience.

The Board viewed the advertisement and noted the advertiser had not provided a 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 (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided”.

The Board noted that this transport advertisement features an image of a toaster with a smiley face and the text, “Fucking Toasted”.

The Board noted the complainant’s concern over the language used in the advertisement.

The Board noted it had previously upheld complaints about the use of the ‘f’ word on Wicked Campers’ vehicles in cases 0487/11, 0101/13, 0403/13, 0200/14 and in case 0044/15 where:

“...the Board noted that the vehicle would be likely to be viewed by a broad audience which would include children and considered that consistent with its previous determination the word ‘fucking’ is a word which most members of the community would find strong, obscene and offensive.”

The Board noted the Community Perceptions Research conducted in 2012 identified that “in terms of advertisement unacceptability, the broader community was in general more conservative than the Board may have anticipated regarding themes of strong language”. The Board noted that the community would still be likely to find the ‘f’ word to be strong and obscene and considered that consistent with its previous determinations regarding the use of the ‘f’ word on vehicles likely to be seen by a broad audience, the current advertisement does use language which is strong and obscene and not appropriate in the context of a broad audience which would include children.

The Board determined that the advertisement did breach Section 2.5 of the Code.

The Board considered 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 the complainant’s concern that the advertisement features a reference to drugs which is inappropriate.

The Board noted the advertisement features the phrase, “Fucking Toasted”. The Board noted the Urban Dictionary definition of ‘toasted’: “to be high from smoking marijuana” (<http://www.urbandictionary.com/define.php?term=toasted>) but considered that this definition is not part of the common Australian vernacular and that the wording used is suitably discreet for it to be okay for children and many other members of the community. The Board considered that overall, in the context of an image of a toaster, the most likely

interpretation by most members of the community is toast and not drugs-related,

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

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

THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertiser has not provided a response to the Board's determination. The ASB will continue to work with the relevant authorities regarding this issue of non-compliance.