



Case Report

1	Case Number	0364/14
2	Advertiser	Wicked Campers
3	Product	Travel
4	Type of Advertisement / media	Transport
5	Date of Determination	24/09/2014
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Inappropriate language
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

"camouflage condoms: she'll never see you cumming"

THE COMPLAINT

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

In addition to being sexually explicit, it implies rape/sexual violence.

THE ADVERTISER'S RESPONSE

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

The advertiser failed to 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 contains a sexually explicit language and implies sexual violence.

The Board viewed the advertisement and noted the advertiser did not provide a response.

The Board considered whether the advertisement was in breach of Section 2.4 of the Code.

Section 2.4 of the Code states: “Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted the advertisement features the text, “camouflage condoms: she’ll never see you cumming”.

The Board noted it had previously upheld similar slogans for the same advertiser where phrases of a sexual nature have been used including 0170/14/ 306/14 and 535/09.

The Board noted it had previously considered an advertisement for Good Vibrations (ref: 0299/11) where the advertisement showed a champagne bottle on the floor between the legs of a woman and the voice over sates “it’s coming...”

The Board noted that in the above advertisement that “the visuals of the champagne flowing out of the bottle accompanied by a voice over stating, “it’s coming” were sexually explicit. Consistent with this previous determination, the Board noted that the current wicked campers advertisement uses the sexual phrase, ‘camouflage condoms: she’ll never see you cumming’ and considered that this reference is to ejaculation and is not appropriate for the back of a mobile van which is viewable by a broad audience.

The Board noted that the use of ‘condoms’ and ‘cumming’ is interpreted as having a sexual connotation.

The Board determined that the advertisement did breach Section 2.4 of the Code.

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 the word ‘cumming’ or to ‘cum’ spelt in this way is a colloquial reference to ejaculation. The Board noted that the use of the word ‘cumming’ in this advertisement is in relation to a sexual act and considered that this amounts to language which is inappropriate in the circumstances.

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

The Board then 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 considered that the reference to a camouflage condom and not being able to see you ‘cumming’ was intended to be a humorous play on words.

The Board noted however, the complainants concerns that the advertisement is implying sexual violence by suggesting that camouflage should be used so that a female won’t be aware of a sexual encounter. The Board noted that this was an interpretation that was unlikely to be shared by the broader community and considered that the slogan was not suggestive of rape or a violent sexual act.

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

Finding that the advertisement breached Sections 2.4 and 2.5 of the Code the Board upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertiser failed to provide a response to the determination.