



Case Report

1	Case Number	0365/15
2	Advertiser	Woolworths Supermarkets
3	Product	Hardware/Machinery
4	Type of Advertisement / media	Mail
5	Date of Determination	23/09/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.4 - Sex/sexuality/nudity S/S/N - general
- 2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

The advertisement referred to in this complaint is the Home Timber & Hardware catalogue promotion which was advertised from the 19th August through to the 6th September and includes the words "Get Dad to Harden up this Father's Day." There is in picture of a drill bit underneath the writing.

THE COMPLAINT

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

On the front page of the brochure in capital letters and in extremely large font are the following words.

"GET DAD TO HARDEN UP THIS FATHER'S DAY". Underneath the words "HARDEN UP" is a drill bit.

My concern is that this sort of promotional header is not only offensive, but is unnecessarily suggestive and is in very poor taste. It is especially concerning given children may be looking at the brochure to find a present for their father for this coming Father's Day.

THE ADVERTISER'S RESPONSE

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

As requested, our response directly relates to sections 2.4 and 2.6 of the AANA Advertiser Code of Ethics (Code) as follows:

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

Response: This catalogue falls within Home Timber and Hardware's wider creative platform of 'Put the Hard Back into Hardware'. This platform, introduced in 2015 through a series of brand TVCs and surrounding collateral, stemmed from an insight that hardware retailers had watered down their offerings to accommodate smaller, more home improvement based tasks. 'Put the Hard Back into Hardware' seeks to reinstate the traditional hardware store in the minds of Home Timber and Hardware customers, reminding them of their ability to embrace proper, larger scale jobs.

There is a selection of Home Timber and Hardware's catalogue advertising that demonstrates how the 'Put the Hard Back into Hardware' platform and its accompanying brand and retail messaging positions the word 'Hard' as a symbol of toughness and not as an opportunity for innuendo.

The use of the word 'Hard' in the context of the total advertising campaign is clearly a tongue in cheek use of the word to emphasise 'tough'. In this context 'putting the Hard back into Hardware' is a call to the target audience emphasising Home Timber & Hardware's strength in traditional hardware products to support projects around the home and we believe that it does not contravene the Code.

Section 2.5: 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.

Response: As per our response above, there is no use of strong or obscene language and, as such, we believe that there is no contravention the Code.

As you know Woolworths is committed to complying with the Code and all applicable laws with respect to its advertising activities. In addition, Woolworths would like to assure the Board that it is, and will continue to be, careful to ensure that all advertising that refers to it or any of its brands is not offensive and does not promote conduct of an irresponsible nature.

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 concern that the advertisement is unnecessarily suggestive and inappropriate language for children looking to buy a present for Father’s Day to read.

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

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that ‘advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.’

The Board noted the catalogue features a large heading that states: “Get Dad to Harden up this Father’s Day.” There is a picture of a drill bit as part of the heading. The page includes images of products available for purchase such as a lawn mower, drills and toolboxes.

The Board noted that the overall theme of the catalogue and associated campaign is to highlight options for Dad for Father’s Day that might re-ignite his interest in jobs around the home.

The Board noted that there was no imagery or suggestion that men who are handymen are tougher or more masculine than other men.

The Board considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account gender and did not breach section 2.1 of the Code.

The Board then 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 complainant’s concern that the advertisement is unnecessarily suggestive.

The Board considered the interpretation that the complainant is referring to would likely be a concern for the sexual suggestion of ‘harden up’ and the colloquial reference that the term “harden up” can be used in a sexually suggestive manner.

The Board agreed that in the context of a hardware catalogue the reference to ‘harden up’ is understood to mean toughen up or to be more masculine or manly. The Board noted that other pages throughout the catalogues also included phrases of a similar nature such as “tough tools for hard Dads” and “Get the gear to go hard.”

The Board noted that the catalogue is full of hardware products and that the use of the phrase ‘harden up’ is intended to be light-hearted and is not intended to have a sexual connotation.

The Board agreed that most members of the community would understand the phrase to mean ‘get tough’ and that in the context of a hardware catalogue was not inappropriate for the relevant audience which could include children.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

The Board then 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”.

For the reasons mentioned above, the Board considered that the use of the phrase “harden up” in the context of a hardware catalogue did not have sexual connotations and was not language that was considered strong or obscene and was appropriate in the circumstances.

The Board 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 Board dismissed the complaint.