



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0371/13</b>
<b>2</b>	<b>Advertiser</b>	<b>Darwin Truck Parts</b>
<b>3</b>	<b>Product</b>	<b>Automotive</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Radio</b>
<b>5</b>	<b>Date of Determination</b>	<b>13/11/2013</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.5 - Language Inappropriate language

### DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement for Darwin Truck and Machinery Parts features two men using the word "truck" in their conversations: "What the truck's going on mate?", "Truckin hell!", "Stop truckin around". A female voiceover then says, "Get well and truly trucked at Darwin Truck and Machinery Parts. Toupein Road, Yarrowonga".

### THE COMPLAINT

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

*The entire ad plays on the word 'truck' and uses it insinuating the word 'F\*\*k', there is no other way to hear this ad. Practically every other word is 'truckin' this, 'truck' that. My 7 year old and his friend were with me when it played on the loud speakers in our local water park with countless other kids there and they even gasped with hands over mouths and told me that they were saying the 'f' word! This language may be common place in some circles in Darwin but I don't think it is appropriate for daytime radio that anyone can listen to. This isn't the first time I've heard this ad and been appalled by it but it is the first time with my son hence why I am finally lodging this complaint.*

### THE ADVERTISER'S RESPONSE

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

*I am writing to respond to a complaint made under Section 2 of the AANA Advertiser Code of Ethics.*

*I have read the Code of Ethics, specifically Section 2 in which the complaint has been raised.*

*All language within Darwin Truck and Machinery's radio advertisement is appropriate for the circumstances and is specifically relevant to our audience which is the logistics industry. There are no strong or obscene words used in the advertisement, rather appropriate words used in a double entendre context.*

*A person who is unfamiliar with the alternative meaning of the advert may fail to detect its innuendos, others may find it humorous for no apparent reason and it is not offensive to those who do not recognise it at i.e. children. Innuendos are often used in advertising as comedy for adults and considered suitable for children who may enjoy the comedy while being oblivious to its second meaning.*

*In this respect I believe that Darwin Truck and Machinery's radio advertisement adheres to the AANA Advertiser Code of Ethics.*

*I look forward to resolving this matter as soon as possible and await your 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 concern that the advertisement features offensive and inappropriate language particularly when it can be heard by children.

The Board reviewed the advertisements and noted the advertiser's 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 and strong or obscene language shall be avoided".

The Board noted the advertisement features the voices of two men. One of the men explains to the other the benefits of visiting Darwin Truck and Machinery Parts for repairs and parts for their vehicles. The men use the word “truckin” and variations of this as a substitute for the word “Fuck.”

The Board considered that the use of “truck” is a play on references to either truck or fuck.

The Board noted the complainant’s concerns that the advertisement was aired over the radio and loud speaker of the local water park and that there were several young children around to hear it.

The Board noted that the men in the advertisement never actually use the word “fuck or “fucking” but instead use variations of the word “truck and trucking” in place of where they may otherwise use the commonly heard expletive.

The Board noted the advertiser’s response that the advertisement was tailored to appeal to the target audience of the business who are in the logistics industry and is intended to be lighthearted and humorous.

The Board accepted that the term “Fuck” would be considered offensive by some members of the community however the Board considered that the term is not blatantly used and that the replacement is a double entendre that would be understood by the intended audience and likely to be considered comedic in its representation.

The Board considered that the context in which the phrase is used is not aggressive, threatening or demeaning, and that although the term “truck and truckin” is suggestive of the words “fuck and fucking,” the word “fuck” is not used and the term “truck” when used in this manner is not strong or obscene and that the use of the term is not inappropriate in this instance.

The Board noted that it had recently considered and dismissed a television advertisement for Booking.com

(ref 0360/13) which had also used a double entendre, “booking” alluding to the word “fucking.” The Board noted that in this case:

“the word ‘booking’ is not of itself an offensive or inappropriate word and considered that whilst its use throughout the advertisement could be interpreted as a double entendre, it is clearly the word ‘booking’ that is being used in full and this is a direct reference to the name of the advertiser and the product.”

The Board considered that the advertisement did not feature any language which would be considered inappropriate, strong or obscene and 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.

