



Case Report

1	Case Number	0376/16
2	Advertiser	Sony Pictures Releasing Pty Ltd
3	Product	Entertainment
4	Type of Advertisement / media	Internet
5	Date of Determination	14/09/2016
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

- 2.5 - Language Inappropriate language
- 2.5 - Language Strong or obscene language

DESCRIPTION OF THE ADVERTISEMENT

The online video advertisement called 'Saving Private Frank' shows elements of the story for the animated comedy movie SAUSAGE PARTY, which released in cinemas nationally on August 11. It shows the animated characters of a bread roll, sausage and banana in peril. It then shows a twinkie character giving advice to the sausage and kissing him on the cheek. As the dialogue of the video is spoken, which includes coarse language, it is captioned with words within the video content.

The TVC carries the title of the film, release date, MA15+ classification with the consumer advice of 'Strong crude sexual humour, coarse language and drug use' for the entire duration of the video.

THE COMPLAINT

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

The text that appeared used inappropriate language for a mainstream website at this time of the day and could easily be accessed by minors. Whenever this website displays swearing in article content, the word is blanked or masked, however the full word appeared in the

advertisement and there was no warning of inappropriate language.

THE ADVERTISER'S RESPONSE

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

We have reviewed the notice of complaint regarding the online advertising of the animated comedy SAUSAGE PARTY, which was released in cinemas national on August 11, 2016. The online advertising campaign for this piece of creative commenced on Tuesday August 23 and completed on Tuesday August 30.

The film is classified MA15+ and deemed suitable for mature audiences of 15 years and older.

The inventory for this online activity was purchased programmatically and was targeted to people aged 15 years or older, as per the film classification, ensuring only the appropriate aged audience would see this piece of creative. Therefore, children would not have been able to see this piece of content on News.com.au.

The online advertisement for SAUSAGE PARTY 'Saving Private Frank' does not breach any part of Section 2 of the AANA Code of Ethics. It does not discriminate, exploit or degrade any individual. It does not present or portray violence out of context and it doesn't depict material contrary to Prevailing Community Standards on health and safety.

In regards to the specific part of Section 2 (2.5) identified in the complaint, the advertisement doesn't use obscene language that is inappropriate for the relevant demographic it is deemed suitable for as per the MA15+ film classification.

Under no circumstances did we intentionally target children as part of our online campaign. Programmatic buying of online video inventory ensures people outside of the chosen target demographic cannot be served the advertisement.

In our assessment, we have shown due diligence in ensuring only suitable mature audiences were exposed to this online video advertisement.

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 complainants' concerns that the advertisement features offensive language which is inappropriate for a broad audience which could include children.

The Board viewed the advertisement 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 (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided".

The Board noted that this internet pop-up advertisement features scenes from the forthcoming movie, 'Sausage Party' and includes the lines, "Fucking Ass", 'Shit' and 'Fuck you up' which are spoken as well as written on screen in bold lettering.

The Board noted the advertiser's response that the advertisement was filtered to an adult audience but considered that the advertisement would be served on third party websites. The Board noted that the advertised movie, 'Sausage Party', is rated MA15+ and considered that while adults looking at the movie on a cinema website, or the movie promoter's website, would be aware of the material they were about to view, the advertisement popped-up and in the Board's view this type of advertisement is not what you would expect to see on such a site.

The Board noted the use of the 'f' word in the advertisement. 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" and considered that consistent with its previous determinations regarding the use of the 'f' word in advertisements likely to be seen by a broad audience (0200/14, 0009/15, 0044/15, 0305/15) the current advertisement, although using language which is appropriate in the context of the advertised movie, does use language which is strong and obscene.

The Board noted the use of the word 'shit' in the advertisement. The Board noted that this word is part of the common Australian vernacular and is generally considered to be mild by most members of the community but considered that in this instance the use of the word, 'shit' in conjunction with the repeated use of the 'f' word, as well as the emphasised manner in which these words are used in both verbal and written format, amounts to an inappropriate use of language.

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

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

THE ADVERTISER'S RESPONSE TO DETERMINATION

Sony Pictures Releasing has reviewed the findings of the Advertising Standards Board in relation to the online advertising for SAUSAGE PARTY, released in cinemas August 11, 2016. The advertising activity referred to in case number 0376/16 completed on Tuesday August 30 and is no longer being served online.