



Case Report

1	Case Number	0387/15
2	Advertiser	Isuzu Australia Limited
3	Product	Vehicle
4	Type of Advertisement / media	TV - Pay
5	Date of Determination	14/10/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

Two tradies sit in their ute jealously admiring their co-worker who has just purchased a new Isuzu Tradepack. Their swearing is masked by power tools and work site sounds as they discuss their co-workers' new truck and how it might be worth them thinking about an upgrade to the Isuzu Tradepack.

THE COMPLAINT

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

The ad, whilst not out-rightly saying the words, insinuate they are swearing. The kids next door say the actual F bomb that they bleep out. Is it really necessary, surely they can sell their products without making it seem that tradies swear constantly and can't form a sentence without profanity.

I don't think it's appropriate to have this language (suggested expletives) in advertising. Though "beeped", the "F" word is obviously used several times and throughout the commercial. Very offensive to people who don't use the word, and I don't see myself as a "prude"!

THE ADVERTISER'S RESPONSE

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

We first ran the Tradepack 30" TVC in late 2013 for a 3 month period on Pay TV networks, and uploaded it to our website at the same time.

We received some very positive comments relating to the communication suggesting that it was both humorous and entertaining.

The current 2015 version of the Tradepack 30" TVC is identical to the original except for a new tail of 5" or so, which announces the new model, however the body of the TVC is as it first ran in 2013. We were therefore very surprised to receive 3 complaints to our Customer Care Centre, all of which we responded to apologising and thanking them for their comments, and further referring them to the ASB if they felt the TVC might be in breach of any of the codes of practice.

The current Tradepack 30" TVC is airing largely on Pay TV (Fox Sports), and is approved by CAD for PG time slots.

We respect the processes of the ASB and look forward to your decision on this issue; the last thing we want to do is upset our audiences.

Thank you for your consideration.

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 tradesmen swearing and is not appropriate despite the attempt at beeping out their words.

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

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".

The Board noted that this television advertisement features two tradies discussing a colleague's new truck and that some of the words spoken are beeped out.

The Board noted that it had previously dismissed similar complaints about beeped out words in radio advertisements in cases 0505/14 and 0126/15, and on television in cases 0270/15 and 0493/14, and in case 0539/14 where:

“The Board noted that the use of the “beep” sufficiently covers any sound that may be coming from the puppets and that the message that swearing and getting angry with other road users is an important public safety message and is delivered in a humorous way. “

The Board noted it had also upheld a complaint about the use of beeped out words in a radio advertisement in case 0168/15 where:

“...the Board noted that although the word is beeped out, it is not sufficiently beeped out and the inference to a strong swear word is clear and the repetition ultimately attracts the attention of the listener more so.”

In the current advertisement the Board noted that there are a number of words beeped out and considered that in each instance it is not obvious what the original word would have been. The Board noted that each time a word is beeped out either the person speaking is not on screen or something has been placed over their mouth (a strategically placed hand, drinks bottle, food) so that we cannot see what word is being formed by their mouths.

The Board noted it had recently dismissed the Free to Air version of the same advertisement which had been rated 'PG' by CAD (0383/15). The Board noted that advertisements aired on PAY TV do not require a CAD rating and considered that the words are sufficiently beeped out so that the suggestion of swear words is not strong, obscene or inappropriate in the context of the relevant broad audience which could include children.

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 complaints.

