



Case Report

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| 1 | Case Number | 0413/10 |
| 2 | Advertiser | Titan Enterprises (Qld) Pty Ltd |
| 3 | Product | Professional services |
| 4 | Type of Advertisement / media | TV |
| 5 | Date of Determination | 13/10/2010 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

Male voice over says "Kings of Steel, we're unreal!" and we see a logo for Titan Garages and Sheds. A red convertible then rolls in to shot, with one man driving and another in the back seat.

We then see a couple arrive home from a camping trip. The wife is surprised to find the the husband has very happily sold the house and moved them into his new Titan Ozborn.

The wife seems annoyed and they have a discussion about this whilst the man is on the toilet in the barn - he is holding a newspaper which obscures most of his body.

The final shot is of the two original men leaning against the red convertible and the text, "Titan Garages and Sheds. For the Titan display centre near you 13 27 36 www.titangarages.com.au. Quality isn't expensive...it's priceless."

THE COMPLAINT

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

In one scene in the ad the husband is sitting on the toilet having a conversation with his wife. This was during lunchtime viewing and I was trying to have lunch. I don't think anybody has to be subjected to that kind of viewing anytime let alone at lunchtime.

I'm not one to complain about much but I find this very offensive.

THE ADVERTISER'S RESPONSE

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

We all sit on the toilet every day. Any real family will have a conversation like this every day. I found it very ironic that the person who made the complaint was having lunch. What was he thinking an hour later when he himself was sitting on the toilet? Ohh the shame!.... Just 1 complaint shouldn't have to waste all our time like this. It should be at least 5 complaints. Don't you agree?

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 is offensive and tasteless particularly at certain times of the day.

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

The Board considered whether the advertisement was in breach of 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 noted that the advertisement features a husband and wife having a discussion regarding the sale of the family home to move into a new Titan Ozborn. This discussion was held while the man was on the toilet. He is holding a newspaper which obscures most of his body.

The Board considered that the depiction of the man on the toilet having a conversation with his wife was one which most members of the community could identify with, and that whilst some members of the community such as the complainant could find this offensive and tasteless, the advertisement was intended to be humorous and did not involve any nudity.

The Board noted that the Advertising Standards Bureau generally has no jurisdiction over the placement or timing of advertisements and so the Board could not take the timing of the advertisement into consideration when making their determination.

The Board noted that the advertisement portrays a 1960s car. The Board noted the advertiser's comments from a previous case (40/06) that the model of car being portrayed does not have shoulder seatbelts but that the car used in the commercial was in fact fitted with lap sash seat belts. The Board considered that it was realistic that viewers would note

that the car was an old car and might have alternative seatbelts. The Board considered that the advertisement did not encourage people to drive without seatbelts.

The Board determined that the advertisement did not depict “material contrary to Prevailing Community Standards on health and safety”

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.