



Case Report

1	Case Number	0478/17
2	Advertiser	Youfoodz
3	Product	Food and Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/11/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

There is a child imitating Gordon Ramsay. He uses the word 'bollocks' referring to the dirty dishes.

THE COMPLAINT

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

The language and/or inference is insulting, unnecessary and gives youngsters 'permission' to use bad language during a family show.

Surely this company has enough funding to use creative ad writers who can get their message across regarding the convenience or taste of their product without using a 'forking' child? Now that's bollocks!

For the second occasion the advertisers (previous complaint regarding 'offensive language through a minor' of 06102017_13 29 24 627 upheld) have breached acceptable standards, again using the same minor featuring offensive language. On this occasion, although the advertiser has this time attempted to oblique the actual words the phrase (and intention) is very clear: 'Leave that bollocks to me!'

In a clear attempt to emulate the professional chef, Gordon Ramsey, in his younger years the advertiser has, yet again, used a minor in a fashion as to shock through profane language. This is wholly unacceptable in ANY circumstance and the fact the advertiser has already been warned over previous commercials leaves me to assume the message has not yet

reached their consciences.

As a child, if this commercial were to be seen by his peers at school they would perhaps feel it acceptable use of language and therefore follow in his vein.

THE ADVERTISER'S RESPONSE

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

Advertiser did not provide a response.

THE DETERMINATION

The Advertising Standards Board (the "Board") considered whether this advertisement breaches Section 2 of the AANA Advertiser Code of Ethics (the "Code").

The Board noted the complainants' concerns that the advertisement depicts a young boy imitating a famous chef and using language that is inappropriate, and not appropriate for children to hear.

The Board viewed the advertisement and noted the advertiser did not respond.

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 television advertisement is of similar direction and scripting of the previously upheld advertisement 0466/17, featuring a young boy saying that the advertised product is 'un-forkin-believable' in which the word 'forkin' had been beeped over.

The Board noted the complainants' concerns regarding a child using the word "bollocks" during the allocated timeslot and the impression the advertisement may have encouraged or endorsed children to use inappropriate language.

The Board noted that there is a genuine level of community concern about strong or inappropriate language (Community Perceptions Research, https://adstandards.com.au/sites/default/files/community_perceptions_report_2012.pdf, 2012) particularly where children are exposed or included.

The Board noted that whilst most members of the community would not expect a child to actually say the word "bollocks", in the Board's opinion the word itself has been used figuratively as a noun to mean "nonsense". The Board felt that in this ad the word has been used to refer to an unpleasant activity 'washing the dishes' and was not directed to any particular one person or used in an inappropriate or aggressive manner.

The Board noted that the depiction of the boy and the manner in which he speaks is playing

on the well-known behaviour of celebrity chef Gordon Ramsey. The Board reiterated that advertisers should take care when using children in advertisements to mimic the behaviour of adults and that this includes using language that may sometimes be considered acceptable for an adult but not children.

The Board considered that the use of the word 'bollocks' is used figuratively as a noun to mean "nonsense". The Board noted that it had previously dismissed an advertisement where the term 'bloody' is referred including 0109/15 where:

"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 considered that the use of the word 'bloody' is a colloquial term used to express frustration or to emphasize what is being said. The Board noted that it had previously dismissed several advertisements where the term 'bloody' is referred including 0433/07, 0375/03 and 0091/06".

Consistent with the above determination the Board noted the advertisement is clear in its reference to forgetting about the dirty pots and pans when the child states "leave that bollocks to me" before swiping them off the kitchen bench in a dismissive non-confrontational action. The Board noted the word "Bollocks" has been used figuratively, as a noun to mean "nonsense" and has no inference of a strong swear word that is inappropriate or aggressive and is in the context of the advertisement.

The Board considered that the advertisement did not use strong, obscene or inappropriate language and 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.