



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0495/18
2	Advertiser	Wicked Campers
3	Product	Travel
4	Type of Advertisement / media	Transport
5	Date of Determination	14/11/2018
6	DETERMINATION	Upheld - Not Modified or Discontinued

ISSUES RAISED

- 2.5 - Language Strong or obscene language
- 2.6 - Health and Safety Depiction of smoking/drinking/gambling

DESCRIPTION OF THE ADVERTISEMENT

This campervan with SA registration S801BAC features an image on the side of the van of a cartoon style Kermit the Frog and Fozzie the Bear smoking what appears to be a rolled cannabis cigarette. Text alongside the image states "roll roll roll your joint, pass it down the line, take a toke, inhale the smoke and blow your fuckin'mind!". Text on the rear of the van states "My reality check bounced!".

THE COMPLAINT

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

The characters were Kermit and Fozzie from the Muppets. This show's target audience included children. Even if young children were unfamiliar with this TV show, they would be drawn to the image.

The text is highly inappropriate for children as it encourages drug use and includes a profanity.



THE ADVERTISER'S RESPONSE

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

Advertiser did not respond.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the text on the vehicle includes a profanity, promoted drug use and is inappropriate for children.

The Panel viewed the advertisement and noted the advertiser had not provided a response.

The Panel 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 Panel noted that this advertisement on the back of a Wicked Campers van features the text, "Roll roll roll your joint, pass it down the line. Take a toke, inhale the smoke and blow your fucking mind", and an animated image of Kermit and Fozzie from The Muppets.

The Panel noted the complainant's concern that the advertisement includes obscene language.

The Panel noted that it had upheld similar complaints for Wicked Campers 0091/14, 0044/15, 0360/16, and 0467/17 that included the text 'fuck', 'fucking' and 'mother-fucking'. Additionally, the Panel noted it had upheld complaints for use of the phrase "fuckday" in case 0230/18 for Smith's Alternative, and "fucking" in case 0276/18 for Brand Collective. The Panel considered that in the above mentioned cases that the word "fuck" and its derivatives were not appropriate for an audience that would include children and that it is a word which most members of the community would consider offensive. The Panel noted the Community perceptions research conducted in 2012 which 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".



The Panel noted that the current advertisement is featured on a vehicle and it is likely that it will be viewed by a broad audience which would include children. Consistent with the decisions above and in consideration of the research the Panel considered that the word "fucking" is not appropriate for a broad audience in a medium which people may not be able to avoid seeing the images and words and that it is a word which most members of the community would consider obscene.

The Panel considered that the advertisement did feature language which is obscene and that the advertisement breached Section 2.5 of the Code.

The Panel determined that the advertisement breached Section 2.5 of the Code.

The Panel considered 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 Panel noted the complainant's concerns that the advertisement is promoting drug use to children.

The Panel considered that cannabis use, distribution and possession is illegal in Australia, although possession of small amounts has been decriminalised in some states and territories.

The Panel noted that it must determine whether the messaging on the campervan is contrary to prevailing community standards on Health and Safety.

The Panel considered that the advertisement is making light of drug use by using a well-known children's nursery rhyme's structure and an image of well-known children's program characters. The Panel considered that the advertisement glamorises drug use and trivialises an important issue by suggesting that the use of illegal drugs is not something to be taken seriously.

The Panel considered that many members of the community would consider a clear reference to an illegal substance contrary to Prevailing Community Standards on health but noted that there are some members of the community who would consider cannabis use to not be against prevailing community standards, particularly for medicinal purposes.

The Panel however considered that the advertisement was referring to 'blowing your...mind' and that in this context the reference to cannabis use would be a reference that was likely to be against prevailing community standards on health and safety.

The Panel considered that the advertisement did depict material, namely drug use,



contrary to Prevailing Community Standards on health and safety and did breach Section 2.6 of the Code.

Finding that the advertisement did breach Sections 2.5 and 2.6 of the Code the Panel upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertiser has not provided a response to the Panel's determination. Ad Standards will continue to work with the relevant authorities regarding this issue of non-compliance.