



Case Report

1	Case Number	0500/15
2	Advertiser	Novus Auto Glass
3	Product	Automotive
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	20/01/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

There are two versions of this television advertisement. Each feature windscreens cracking for various reasons and a voiceover which says, "show us your crack". The final scene shows the Novus logo and contact information.

THE COMPLAINT

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

They show some cracks in car windows and offer to repair them, by singing a song using words "show us your crack". This is an obvious attempt to be funny but it is quite rude and I don't like hearing it and I'm sure that I wouldn't want children to be hearing and repeating it.

THE ADVERTISER'S RESPONSE

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

The advertisement under complaint is clearly compliant with the Code of Ethics' subjectivity to Prevailing Community Standards. While it is understood that "Prevailing Community Standards" is a term to be defined and determined by the ASB, in 2012 a Trade Mark has been accepted for imported foods parceled and advertised as the Spoonerism "Nucking Futs"

*and police complaints of obscene language are now regularly dismissed in Magistrates' Courts on the basis that the Anglo Saxon derived words "f**k" etc are no longer held to be obscene under prevailing community standards and are in fact part of the common parlance and vernacular in Australia. Our reference to "show us your crack" was and is, and is perceived by the public in 2015 to be, "tongue in cheek".*

Our advertisements have no content which is any way referential to ill humour, anger, or violence. In fact, our advertisements are the direct opposite – they are humorous, slightly mischievous, involve laughter and are in no way edgy or even ribald. The use of the phrase "show us your crack" is not profane either directly or indirectly. And, at the end of the day, NOVUS is a multinational organisation which invented "windscreen crack repair" many decades ago and holds itself out as a "Repair first, replace only if necessary" company. The use of the phrase "show us your crack" contains no Anglo Saxon. Any innuendo is completely in the mind of the listener and, importantly, because of the complainant's focus on children ("...I wouldn't want children to be hearing and repeating it") the reference to "show us your crack" is at the least highly metaphorical and the low level of sophistication of children would not be sufficient for this metaphor to crystallise in a vulgar way. Conversely, if everyone does think in the same fashion as the complainant clearly does, those who do unravel the metaphorical allusion between our core business and other matters would be of an age where the metaphor would be considered to be (a) humorous and (b) harmless and trivial.

The phrase in the literal and visual context in which it is said (that is, our core business of windscreen repairs showing a repair utility and a uniformed autoglazier) is not capable of misunderstanding – repairs of cracked windscreens is what we do, across Australia and across many other nations.

As stated above, we are in an age when the spoonerism "Nucking Futs" has been accepted as meeting Prevailing Community Standards to the extent that a Trademark has been reserved for this phrase. "Show us your crack" is innocuous by comparison and relevant to our core business. This complaint should be dismissed on the above grounds and also on the common sense grounds that it is inoffensive to practically all clear and right thinking people in the 21st Century and far too subtle for most children.

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 concern that the advertisement features the phrase, "show us your crack" which is rude and not appropriate for a broad audience which includes children.

The Board reviewed 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 television advertisement depicts various instances where a windscreen has been cracked and a voiceover sings, “show us your crack” before showing a Novus employee repairing the cracks.

The Board noted it had previously dismissed complaints about the radio version of this advertisement in case 0023/15 where:

“The Board noted the advertisement features a male and female voiceover referring to the various locations of the glass repair business. Examples include “if you’re in Margaret River, show us your crack.” The female voiceover also refers to services provides such as chips, cracks or smashed glass.

The Board noted that the advertisement is for a glass repair/replacement service and that the mobile service will fix cracks in car windscreens etc.

The Board noted that the use of the word “crack” is a slang word in Australia meaning inter-gluteal cleavage and that the use of the term crack in this advertisement is a humorous double entendre referring to the crack in a windscreen and ones bottom crack.

The Board noted that ‘crack’ is very mild and not inappropriate for a broad audience which would include children and in any case is clearly worded as being a reference to a windscreen crack.”

In the current advertisement the Board noted that the catchphrase, “show us your crack” is accompanied each time by images of cracked windscreens and considered that the word is being used in its correct context.

The Board acknowledged the double entendre of the phrase, “show us your crack” but considered that, consistent with its previous determination, the use of this phrase in reference to a cracked windscreen is not inappropriate in the circumstances and was suitable for a broad audience which would 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 complaint.

