



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0520/18
2	Advertiser	Cotton On
3	Product	Clothing
4	Type of Advertisement / media	Email
5	Date of Determination	28/11/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

This email advertisement contained the subject line "Broke AF? 45-75% Off Starts Now".

THE COMPLAINT

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

I totally find this retailer using these words even being abbreviated highly offensive as we all know what 'AF' means

THE ADVERTISER'S RESPONSE

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

Re: Complaint reference number: 0520/18– Cotton On

We refer to the complaint lodged with the Advertising Standards Bureau on 22





November 2018 regarding a recent promotional email sent to our electronic marketing database (“Email”). A copy of the Email has been included for ease of reference.

The Email is alleged to be in breach of Section 2.5 of the Code. Section 2.5 requires advertising to use language which is appropriate and to avoid strong or obscene language.

The Email contained the subject line “Broke AF? 45-75% Off Starts Now”. Although the “F” in the “AF” is to reference a swear word, there is no actual swearing or obscene language in the Email.

Cotton On’s demographic targeted customer is aged 22, and 90.05% of Cotton On’s data base that received the email are over the age of 16 years.

While it is definitely not our intention to offend any of our customers, Cotton On is a young brand and the Email used millennial language to meaningfully connect with its core customer.

In any event, we do not consider there is any strong or obscene language in the Email.

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 advertisement uses offensive language.

The Panel viewed the advertisement and noted the advertiser’s 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 email advertisement’s subject line reads “Broke AF? 45-75% OFF starts now”.

The Panel noted the complainant’s concern that the language is offensive and is clearly an obscenity.

The Panel noted the advertiser’s response that no actual profanity is used in the advertisement. The Panel noted that through the development of social media and the use of abbreviated language “AF” has gained a colloquial meaning of “as fuck”



however the Panel considered that that abbreviation is unlikely to be understood by children.

The Panel considered that the use of “AF” was in the subject line of the email only, and was not used in the body of the email advertisement, nor was the colloquial meaning spelled out.

The Panel noted that use of the word “fuck” in written format was generally not acceptable, but considered that in this instance, the word is inferred but not actually used and the advertiser provided information that the audience is primarily adult and that people have to opt in to receive the email. The Panel considered that the use of an acronym in an email format sent to a subscriber audience may be likely to include more adult themes.

The Panel noted the Practice Note for Section 2.5 of the Code which provides: “Words and acronyms that play on the ‘f’ word, eg WTF and LMFAO, but do not use the actual word are normally considered acceptable if used in a light-hearted and humorous way, are in subtitle rather than the spoken word and are appropriate to the situation.”

The Panel noted that they had previously considered advertisements that used the terms ‘WTF’ (0372/17, 0500/17) and ‘BCFing’ (0023/17, 0573/16) and in these cases had determined that the language was not strong or obscene and did not breach Section 2.5 of the Code.

Consistent with previous determinations, the Panel considered that the language used in the advertisement is not inappropriate, strong or obscene 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 Panel dismissed the complaints.

