



Case Report

1	Case Number	0530/10
2	Advertiser	Ugames
3	Product	Toys & Games
4	Type of Advertisement / media	TV
5	Date of Determination	19/01/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Use appropriate language

DESCRIPTION OF THE ADVERTISEMENT

A male voice over describes a board game called Smart Ass and we see a group of people playing the game, as well as an animated Donkey (Ass) on the screen.

THE COMPLAINT

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

I'm complaining about this Ad on TV because my 5 year old child should not be subject to watching such derogatory and demeaning Advertising while my child eats dinner! This Ad is totally inappropriate! Their catch phrase goes Even if you're a Dumb Ass you can win!! Now this sort of thing SHOULD NOT BE PLAYED AT DINNER TIME!!! It is exceptionally offensive! Both my wife and myself think this Advertisement should be reviewed or removed from TV!

THE ADVERTISER'S RESPONSE

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

The ad was CAD approved and never meant to offend as the concept and main character of this board game, as you'll see in the TVC, is a Smart donkey...aka Smart Ass. Other components in the game are a Kick Ass, a Dumb Ass, and a Smart Ass. The ad was never run in C time television and was only shown in G times. The show it was seen in by this viewer as inappropriate was "Top Gear".

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 features inappropriate language.

The Board viewed the advertisement and noted the advertiser’s response

The Board then 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 and strong or obscene language shall be avoided.”

The Board noted that this advertisement is for a board game called ‘Smart Ass’ and features an animated donkey as well as actors playing the game. The Board noted that the word ‘ass’ is used throughout the advertisement in relation to the board game.

The Board considered that this word is relevant to the product being advertised and that the meaning of the word in this instance is a ‘donkey’. The Board considered that in this instance it was not inappropriate to use the word ‘ass’.

The Board noted that the word ‘Ass’ is also used a slang word for ‘bottom’ or for an obnoxious person and that it is a word which is commonly used in Australia for this purpose, however the Board considered that most members of the community would consider this usage of the word to be very mild.

The Board considered that most people would not consider the word ‘ass’ to be disgusting, 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 any other grounds, the Board dismissed the complaint.

