



Case Report

1	Case Number	0583/17
2	Advertiser	Youfoodz
3	Product	Food and Beverages
4	Type of Advertisement / media	Poster
5	Date of Determination	24/01/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language Inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

A poster advertisement with a depiction of a Youfoodz meal and the words, "Forkin Fresh!"

THE COMPLAINT

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

Use of accented language for a vulgar headline. As it is in store banner advertising its like someone is shouting an obscenity at you Fucking Fresh in a north English accent.

THE ADVERTISER'S RESPONSE

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

The retailers in these two locations will be advised to remove the posters

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 complainant's concerns that the advertisement uses language is vulgar

and similar to an obscenity.

The Board viewed 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 the poster advertisement had the words "Forkin' Fresh" in large letters with pictures of food and cutlery.

The Board noted that the advertising material appears on in store posters and is visible to a broad audience that would include children.

The Board noted that it has previously considered a television advertisement for this advertiser which used the word forking (0423/17), in which:

"in the Board's view the way the young boy says the word "forkin'" makes it sound very close to the strong swear word it is clearly imitating.

... the Board considered that the advertisement did use inappropriate language and determined that the advertisement did breach Section 2.5 of the Code.."

In the current advertisement the Board noted that the word "forkin'" appears on its own and unlike the previous determination is not spoken by a child. The Board considered that in the context of a word written on a billboard, rather than spoken by a child, the effect of the language is only mild.

The Board notes that it had previously considered substitutes for the f word in advertising such as 'effing' (0434/16 and 0277/15) and 'friggin' (0311/15). In these cases the Board has consistently determined where the word is not used in an overly aggressive manner this does not amount to strong or obscene language.

Consistent with previous determinations the Board considered that the word "forkin'" was not strong or obscene language and was not inappropriate for a poster advertisement for food in conjunction with images of food and cutlery which is seen by a broad audience which would include children.

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.

