



CASE REPORT

1. Complaint reference number	112/09
2. Advertiser	iSelect (Bite Me)
3. Product	Insurance
4. Type of advertisement	TV
5. Nature of complaint	Language – use of language – section 2.5
6. Date of determination	Wednesday, 8 April 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television commercial is one of a series. The female is on the telephone and as she hangs up says “Well bite me, I’ve found a better way”. Woman explains how she has found a better arrangement for her health insurance. Voice over promotes the advantages of iSelect. Final scene shows the woman sitting on her chair saying “You would have to be a floss tosser to buy health insurance any other way.”

THE COMPLAINT

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

I teach my own children not to use disgusting phrases such as "bite me" and "tossler". I am offended by these words and I cannot see how the ad needs these disgusting phrases to describe how the company operates.

THE ADVERTISER’S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The ad in question ran between Feb 1st and March 28th 2009. Please note the advertisement has not run on Australian television since Feb 28. Further to this, no plans currently exist to run this ad in the future as a result of the launch of a new range of brand and call-to-action television advertising implemented in March 2008.

The ad utilises the term "Bite Me" in the introduction of the ad as a whimsical reference to the frustration in searching for health insurance choices and the implied difficulty in buying health insurance. The end of the ad uses the term "Floss Tossler" eg "you would be a floss tossler to buy health insurance any other way" The team is a nonsensical invented term and is in line with a range other nonsensical invented terms used to infer "that any other way would be difficult or unwise". The use of this term is not designed to alienate or offend in any way.

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 with the advertisement's use of the terms "bite me" and "... tossler" and considered the application of Section 2.5 of the Code, relating to the use of language.

The Board noted that the term "bite me" is in common usage as an exclamation of dismissal of another

person's views. The Board considered that this is the context within which the term was used in the advertisement and considered the expression was not strong or obscene language or inappropriate in the circumstances of the advertisement - that is, to demonstrate the frustration of the character with her search for health insurance.

The Board noted that the term "tosser" is used colloquially to mean a person who masturbates, but also "a stupid person". The Board considered that, in the context of the advertisement, the term "floss tosser" was nonsensical but would be most likely to be interpreted as a reference to a "stupid person". The Board considered this language was not strong or obscene and was not inappropriate in the circumstances of the advertisement.

The Board therefore found no breach of Section 2.5 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.