



## **CASE REPORT**

1. Complaint reference number	175/09
2. Advertiser	Raptor Electrical
3. Product	House goods/services
4. Type of advertisement	TV
5. Nature of complaint	Language – use of language – section 2.5
6. Date of determination	Thursday, 14 May 2009
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This television commercial commences with a man on the mobile phone. The man looks up and says “Oh Crap, it’s the property manager. We need an electrician at our investment property. Third time this year. We’ve already spend three hundred dollars on electricians this year to fix the dishwasher and the switchboard.”

Voice over promotes the services of Raptor Electrical and its fixed price offer for investment properties.

## **THE COMPLAINT**

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

*I don't believe we need to hear this kind of language and it does offend me.*

*I have a very impressionable 4 year old boy and i just think that it is not necessary for that kind of language to be aired on television, not only is it not necessary but inconvient as well.*

## **THE ADVERTISER’S RESPONSE**

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

*Thank you for giving us the opportunity to respond to the abovementioned complaint. You have asked that we respond to the complaint with particular reference to Section 2 of the Advertiser Code of Ethics. We believe that the sub section to which you are referring is 2.5 Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided.*

*The Oxford Dictionary notes that the original meaning of the word “crap” is “chaff” and when used as an adjective, the word “crap” is defined as “extremely poor in quality”. It was this meaning that suited our message.*

*We have had an advertisement produced that reflects a reality of life, including language that a lot of people would use when frustrated or angry.*

*It is certainly not our intention to upset or offend anyone with this advertisement. If this has been the case, we can only apologise to the complainants .*

## **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 complainants' concerns about the use of the term "crap" in the advertisement and considered the application of Section 2.5 of the Code, relating to language.

The Board noted that the term "crap" had come into common usage, as part of the Australian vernacular. The Board noted the term was used in the advertisement in the context of the character expressing his frustration. While recognising that some members of the community would find the use of the term distasteful, the Board considered the word was used in the context that is consistent with Australian usage and was not "strong or obscene language". The Board considered that most members of the community would not find the language used offensive. 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.