



## **CASE REPORT**

1. Complaint reference number	19/07
2. Advertiser	Ford Motor Co Aust Pty Ltd (Territory Turbo)
3. Product	Vehicles
4. Type of advertisement	Cinema
5. Nature of complaint	FCAI - Other
6. Date of determination	Tuesday, 13 February 2007
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement opens on a showroom at Eurosport Motors where only parts of a blue sports car remain. A black Territory Turbo seems to be lurking in the background until it leaves the showroom and stops behind silver car waiting at a “Stop” sign. The Turbo’s bonnet opens as a passing truck obscures our view, and we then see only remains of the stopped car. The Turbo then drives out of a residential garage to drag a red sports car back inside, and only a piece of the red car remains outside. On a rainy street, a car reverse-parking to a space in front of the Turbo also becomes a victim of the Turbo’s open bonnet. The Turbo then follows a yellow car along an expressway as an overpass obscures our view – seconds later only the remains of the yellow car can be seen on the road. A male voiceover announces “With 245 kilowatts of power and all wheel drive, the new Ford Territory Turbo eats sports cars for breakfast. The possibilities are amazing.”

## **THE COMPLAINT**

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

*The advert suggests violent competition for road space and promotes aggressive driving for those driving larger cars.*

## **THE ADVERTISER’S RESPONSE**

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

*This commercial is based around a common and well understood saying; if something "eats something for breakfast", it is widely known that this means it is superior to that 'thing', not that it is literally capable of eating it. In this context, the Territory Turbo “eats sports cars for breakfast” because it enables you to enjoy sports performance, but unlike a traditional sports car, it also offers the standard Territory benefits of carrying your family, their friends and their gear with its optional 7 seater capacity and 30 storage compartments. It also offers All-Wheel-Drive with some ground clearance that enables you to go that bit off the beaten track.*

*In conveying this message, it was our intention to create a light-hearted, irreverent tone. Creative devices such as the fact that the vehicles have their own personalities and don't have drivers, together with playful music, underscore this light-hearted tone and ensure that the advertisement is clearly in the realm of fantasy. In no way does the advertisement encourage or condone violent competition for road space or aggressive driving behaviour.*

*The vehicles in the advertisement are never shown speeding, racing or engaged in any dangerous, illegal, unsafe or reckless driving. The reference to the power output of the vehicle's engine (245 kilowatts of power) is purely a factual statement and does not infer or promote aggressive, unsafe, reckless or menacing driving and we believe is presented in a manner that is consistent with the*

*provisions of the Code.*

*In the creation of the advertisement itself, a safety officer was on-shoot, to oversee that all scenes complied with all road rules, including speed limits. Further, as the driving sequences were within the legal limits no special permits were required in the filming of the CC.*

*For the reasons outlined above, and the fact that the Advertising Standards Bureau dismissed Advertising Complaint – reference 305/06, we do not believe the Territory Turbo cinema commercial contravenes the provisions of the AANA Advertiser Code of Ethics nor the Voluntary Code of Practice for Motor Vehicle Advertising and trust this response adequately addresses the concerns raised by the claimant.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) first considered this advertisement under the Federal Chamber of Automotive Industries’ Advertising for Motor Vehicles Voluntary Code of Practice (the “FCAI Code”).

To come within the FCAI Code, the material being considered must be an ‘advertisement’ for a ‘motor vehicle’. The Board considered that the advertisement for Ford Territory Turbo satisfied these criteria.

The Board then analysed specific sections of the FCAI Code and their application to the advertisement.

The Board noted that the advertisement creates a fantasy situation where a car is depicted ‘eating’ other cars.

The Board noted that there were few instances of driving depicted in the advertisement –with most being images of short duration suggesting that the Ford Territory had just eaten another car. The Board considered that there were no depictions of unsafe driving in the advertisement (clause 2(a) of the FCAI Code) and that the depictions within the advertisement of the car being driven did not include any driving that would breach any law.

The Board also noted that the depictions within the advertisement did not depict a person driving at excessive speeds (clause 2(b) of the FCAI Code) nor did it depict driving practices, within the definition of the FCAI Code, that would breach a law (clause 2(c)).

The Board determined that the advertisement did not breach the FCAI Code in any way.

The Board then considered whether the advertisement breached the AANA Advertiser Code of Ethics (the Code). The Board noted that under Section 2.7 of the Code advertisements for motor vehicles must comply with the FCAI Code and Section 2.6 of the Code does not apply. The Board considered that the advertisement did not breach any of the other provisions of the Code.

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