



## **CASE REPORT**

1. Complaint reference number	204/09
2. Advertiser	Billy the Toolman
3. Product	Hardware/machinery
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**

In this radio advertisement from Billy the Toolman for the company's products a male voice tells listeners that Billy is cooking up a storm and describes the products available. Several times during the advertisement a beep is heard which disguises a word. At the end of the advertisement the voice over tells listeners that Billy is the best toolman in town and to "get your arse into Billy the Toolman".

## **THE COMPLAINT**

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

*Despite bleeping the "f" out, they have cut it so that you can just about hear it, but it is so obvious what the word is by the context in which it is being spoken. The advert is played at all times of the day, including when parents are taking children to school. The tone of voice used is abusive, loud, and very offensive. I would not let anyone talk to me or anyone with me in everyday life, why should I be subjected to it from the radio?*

## **THE ADVERTISER'S RESPONSE**

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

*In response to a complaint received regarding our advertisements for Bill the Toolman on Prime Radio. I would like to firstly state that this is the first complaint we have received about our style of advertising. That said, I would like to make the follow points on the style of creative, and our endeavors to ensure we minimize any offence in future.*

*· Our advertising is based on a satirical parody of Gordon Ramsey (The angry Chef). We do bleep out several four letter words but none of the expletive are spoken or heard, yes the inference is there. Unlike, the Erection Ads, which I'm sure your aware of, which just say erection and premature ejaculation, and 30 second man in bed.*

*· In terms of the inflection of the spoken word, it again is based on the Gordon Ramsey satirical parody. I agree it is loud. This is the point. We want it to stand out. With regard to offensive and abusive, this is not the intent at all, direct yes, offensive no. But I understand that this is an individual's value judgment of the advertisement. Everyone to their own.*

*This said, it is also the individuals right to listen to one of the 5 other radio station in our market. This is the prerogative of the listener.*

*· It needs to be understood that we target a very male dominated environment, and we have found*

*that our advertising cuts through very well with this target. The station we use is a Male skew 25+ demographic.*

*· We have changed the advertisement, not as a consequence of this complaint, but to get our message to be clearer to the consumer. We will use Gordon Parody as a top and tail with a cold voice to promote products. We have also reduced the “F” word. (Listen to attached new version of commercial)*

*· We will be ensuring that the advertisement doesn't run in times that coincide with school times to avoid any risk of offence.*

*I hope my explanation give you a better understanding of our motives, not to offend, but to communicate in a very satirical way to a male target.*

## **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 was suggestive of bad language and considered the application of Section 2.5 of the Code, relating to language.

The Board noted that the advertisement was in the style of a parody of Gordon Ramsay. The Board noted that the use of the beeps was suggestive of swear words being used. However, the Board also noted that the advertisement effectively used the beeps so that no inappropriate language was audible. The Board noted the use of the word 'arse' and also considered that in the context of this advertisement most members of the community would not find the language offensive. The Board therefore determined that the advertisement did not use any strong or obscene or inappropriate language and 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.