



## CASE REPORT

1. Complaint reference number	232/05
2. Advertiser	Geoff Walsh Engine Parts Pty Ltd
3. Product	Housegoods/services
4. Type of advertisement	Radio
5. Nature of complaint	Language – use of language – section 2.5
6. Date of determination	Tuesday, 13 September 2005
7. DETERMINATION	Upheld – discontinued or modified

## DESCRIPTION OF THE ADVERTISEMENT

This radio advertisement featured a conversation between a voiceover and Geoff Walsh of Geoff Walsh Engine Parts. In the course the conversation, the voiceover explains to viewers that Geoff Walsh Engine Parts “*has delivery vehicles zipping around the Mackay region every day... and that for counter sales Monday to Saturday, the air conditioning and friendly professional services are absolutely free...*”. At the end of each sentence spoken by the voiceover, Geoff Walsh replies: “*No worries*”. At the end of the advertisement the voiceover speaks ad-lib, saying: “*Hey Geoff, eat this plastic cup...*”. Geoff Walsh replies “*No worries*. The voiceover then says words that are the subject of this determination.

## THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

*“At the end of the ad, almost as an afterthought, the voice says “this plastic cup is f---d”...”*

## THE ADVERTISER’S RESPONSE

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

*“... I can only assume that the complainant has mis-heard the audio.”*

The advertiser provided a script of the radio advertisement which states:

V1 “... *Geoff Walsh Engine Parts – Chain Street Mackay... hey Geoff, eat this plastic cup*”.

V2 “*No worries*”.

V1 “*This is fun... you want to eat some dirt?*”

V2 (laughs) “*No worries*”.

## 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 that the script provided by the advertiser reads: “*This is fun... you want to eat some dirt?*”.

Notwithstanding this, the Board was of the opinion that listeners would hear the words spoken by the

voiceover as: “*This is fucked... you want to eat some dirt?*”. Accordingly, the Board assessed the advertisement on this basis.

The Board primarily considered clause 2.5 of the Code in determining this complaint. Clause 2.5 provides that “*advertisements should only use language which is appropriate in the circumstances and strong or obscene language should be avoided*”. The Board was of the view that the language was not appropriate in the circumstances. The Board determined that this material did contravene the provisions of the Code relating to the use of language.

Accordingly, the Board upheld the complaint.

#### **THE ADVERTISER’S RESPONSE**

The advertiser has indicated that the advertisement has been removed from broadcast and would not be used again.