



## **CASE REPORT**

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|-------------------------------|------------------------------|
| 1. Complaint reference number | 255/08                       |
| 2. Advertiser                 | Hyundai Motor Co Australia   |
| 3. Product                    | Vehicles                     |
| 4. Type of advertisement      | Print                        |
| 5. Nature of complaint        | Violence Other – section 2.2 |
| 6. Date of determination      | Wednesday, 13 August 2008    |
| 7. DETERMINATION              | Dismissed                    |

## **DESCRIPTION OF THE ADVERTISEMENT**

This print advertisement depicts a suburban front garden where a Hyundai Sonata is parked in the driveway. Text in the ad states "2009 Sonata. Everyone will want a closer look". A postman has left his basket of mail to enter the driveway and admire the new model car. He is unaware that from behind him, a vicious dog has emerged from its kennel and is springing to attack.

## **THE COMPLAINT**

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

*A postman has entered a normal suburban garden/house to take a closer look at the new Sonata parked in the drive. His attention is drawn to the inside of the car. What he is unaware of is that he is milliseconds from being mauled [ I suggest to death ] by a most horrendous, disgusting ' guard ' dog that has already launched itself at the man. The impending implied violence is quite palpable and I think the implications of the ad. is terrible. It is not funny as I suspect Hyundai think it is and is in very bad taste and quite unsuitable for the subject matter. Horrible, esp. when there have been quite a few terrible instances of dog attacks and deaths reported in the papers recently. I can't imagine what kind of image they think they are creating for their brand.*

## **THE ADVERTISER'S RESPONSE**

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

*The execution in question is one of two creatives that are running in this campaign to launch the new 2009 Sonata. The scenario depicted is of someone so engrossed by the inside of the new Sonata that they don't notice what's happening around them. In this scene, the postman has snuck down the driveway to look inside the Sonata and hasn't noticed the household dog running up to him.*

*This creative is inspired by the "Moments like these..." scenarios on Minties wrappers and utilises the "what could happen next?" recipe in the age-old humour of Postman vs Dog story. In this ad the dog might jump on the postman, or he might bark and give him an awful fright, or might lick him like a sooky pet. No-one knows for sure and it's up to an individual reader's sense of imagination to work that out for them self.*

*Nowhere in this ad is there any actual violence shown or inferred or intended.*

## **THE DETERMINATION**

The Advertising Standards Board ("Board") was required to determine whether the material before it was in breach of the Federal Chamber of Automotive Industries' Advertising for Motor Vehicles

Voluntary Code of Practice (the “FCAI Code”). The Board determined that the material before it was an “advertisement for a motor vehicle” and therefore that the FCAI Code applied.

The Board then went on to consider the substantive provisions of the FCAI Code. The Board determined that the advertisement did not breach any of the clauses of the FCAI Code and accordingly dismissed the complaints.

The Board then considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”). In particular the Board considered whether the advertisement presented or portrayed violence that was justifiable in the context of the product of service advertised.

The Board noted that this advertisement comprised a still image. The dog was not shown to be attacking the man who was looking at the car.

The Board agreed that there was no evidence to suggest the dog was going to attack the man and therefore considered that the advertisement was not illustrating a violent act was not in breach of Section 2.2 of the Code.

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