



CASE REPORT

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| 1. Complaint reference number | 267/08 |
| 2. Advertiser | Ezy Gas |
| 3. Product | Other |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Language – use of language – section 2.5 |
| 6. Date of determination | Wednesday, 13 August 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This advertisement compares two cars of the same make and model. A male voice over asks what is the difference? The answer is that one runs on EzyGas and the other does not. The number plate on the advertiser's car is EZY GAS, and that on the other car DUM RSE.

THE COMPLAINT

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

I could not help but notice the two numbers plates of each car. The number plate for the vehicle on the left (installed with EzyGas's product) reads EZY GAS. On the car on the right (the car without gas, being a petrol driven car) the number plate read DUM RSE. When read out as a personalised number plate (as it is not letters and numbers) it pronounces Dumb Arse, highlighting that consumers with vehicles that do not own EzyGas' product were less intelligent than those who had their product installed. As an owner of a petrol driven vehicle I found the ad offensive and infuriates me as to the idea behind calling people who do not own their products Dumb Arse's. Calling someone who does not own your product a Dumb Arse is completely outrageous and a sly attempt at pointing people in the direction of their product.

THE ADVERTISER'S RESPONSE

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

I write in response to advertising complaint reference 267/08. The complainant has stated that our advertisement is completely outrageous and a sly attempt at pointing people in the direction of our product. They have also claimed that our advertisement states that people who don't own ezygas' product are less intelligent than those who do.

This particular advertisement has been running for 24 months and this is the first complaint against it. I feel that these claims are overreactions to a clever, light hearted and creative campaign. Section 2 of the advertising code states that advertising communications shall not discriminate against a person on the account of race, ethnicity nationality, sex, age, sexual preference, religion, disability or political belief. EzyGas has been recognised as the industry leader and employer of choice in the automotive LPG industry. We have been finalists in the Telstra Business Awards two consecutive years 2006 and 2007. EzyGas takes its brand very seriously and our primary focus is on our customers and the public's perception of our brand. Our ad in my opinion does not discriminate against anything outlined in the advertising code and I am upset that such a complaint has been made. Before any advertising goes live it is run through a series of focus groups and results are measured to ensure that the advertisement does not tarnish the brand in any way. This ad had positive results through the focus groups and continues to bring

us positive feedback to date.

Our add compares two cars, one powered by petrol and one powered by LPG. It runs through the cost comparison on both fuels and the environmental benefits of LPG. The number plates that the complainant refers to are not prominent and simply and subtly identifies that LPG is the wiser option. Second to that the word is abbreviated making it difficult for children to read. (DMB ARS). I refer to other popular campaigns which make direct claims to consumers such as the TAC campaign. "If you drink than drive you're a BLOODY IDIOT" and the Crazy Johns campaign, which states that you'd be crazy to buy a mobile anywhere else. Our ad intends to identify that LPG is a cleaner and cheaper alternative to petrol, this is a common fact, and no insult is intended through our campaign.

Please consider these points when making your final decision.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board viewed the television advertisement and found its message to be consistent with the current environmental stance on petrol usage and seeking alternative products.

The Board did not immediately see the number plates about which the complainant expressed concern. When the Board's attention was drawn to the words displayed on each of the cars they considered that this was a subtle use of tongue-in-cheek humour that not all viewers would pick up on.

The Board further considered that the way in which the number plates were constructed meant that the offending phrase - "dumb arse" was not actually used and was open to viewer interpretation.

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