



CASE REPORT

1. Complaint reference number	30/10
2. Advertiser	Allpest WA
3. Product	Housegoods/services
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Wednesday, 10 February 2010
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a woman who has called for a pest controller All Pest to come to her home. The pest controller arrives, rings the door bell and she welcomes him inside. She says she has a big pest and takes him to the backyard where her husband is seen lying on a recliner by the pool rubbing sunscreen into his skin. The pest controller says sorry, we don't do husbands.

THE COMPLAINT

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

I believe that this type of so-called JOKE (or tongue-in-cheek as the ASB puts it) is getting really old. I object to this type of advertising unless there is an equal ad showing a man doing the same thing to his wife. So please ASB finally do something about this, rather than hiding behind so-called Tongue-in-cheek excuses.

THE ADVERTISER'S RESPONSE

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

Below we will outline our thoughts on the notified complaint;

- 1. I believe that this type of so-called JOKE (or tongue-in-cheek as the ASB puts it) is getting really old***

Allpest Management does not believe the age of the advert has any relevance to Section 2 of the code and therefore this area of the complaint is irrelevant. In fact the Advert is a new advert created in 2009, and often successful campaigns are re hashed because they are successful.

- 1. I object to this type of advertising unless there is an equal ad showing a man doing the same thing to his wife***

Allpest Management find the above statement contradictory to any objections the complainer may have. It seems as though the complainer's issue is that he believes in some way that the reference to a person as a "pest" is in some way inferring violence toward the husband. If this is true is he now saying violence is ok if it is directed to a female? Allpest Management do not believe the Advert is implying any harm to the husband simply that he is a pest.... Further we re-enforce that we do not treat / manage husbands and in fact that "We care about your Family"

- 1. So please ASB finally do something about this, rather than hiding behind so-called Tongue-in-cheek excuses.***

Allpest Management can only gather the complainer must have previously complained about this advert and do not see how this is relevant to section 2 of the code.

Further Allpest believe that there are many instances previous and current of black humor, and humorous advertisements in the market place. Allpest do not see how this could be taken as anything but a humorous quip/ joke which happen in most households around the country. Generally feedback about our advert is that it is remembered and is found humorous by all that have seen it.

We have had previously one similar complaint about past advertisement campaigns with a similar plot or script brought before the standards board to which they ruled that there was no case to answer, I wonder if this is the exact same person complaining. Below is a copy of the determination of the board the last time.

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The Board considered that in the context of prevailing community standards the majority of people would find the advertisement humorous rather than offensive. The board notes that the representative for Allpest WA mentioned to the woman that they do not “exterminate husbands”. The board considered that the advertisement did not depict any violence and that the majority of people would understand the female callers questions to be very tongue in cheek.

Allpest would also like to note that that the complainer was so insulted by the advert that he complained to the standards board, yet he was unable to remember the time or date or the program in which the advert was aired.

In closing the management of Allpest would hope that the board would rule that we have not breached any part of the code of ethics, in particular section 2. The complainer is correct in one aspect, Allpest’s adverts have been aired on television for the last 4 – 5 years with a similar theme “We don’t do husbands” the fact that the theme is still similar and we have had two complaints (ie, This is only the second time we have had a complaint lodged with ASB) should prove that the community finds this advert humorous, and not offensive.

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 concern that this advertisement is inappropriate in its gender bias/stereotypical approach.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement was in breach of section 2.1 of the Code. Section 2.1 of the Code states:

"Advertising or marketing communications shall not portray people or depict material in a way which discriminates against or vilifies a person or a section of the community on account of . . . gender."

The Board noted that the advertisement is for pest control services and the statement that 'we do not do husbands' was intended to be a lighthearted, humorous approach to pest control. The Board considered that most members of the community would find the depiction of the woman calling the pest controllers, in the context of her working on the house while he lounged by the pool, humorous and not a suggestion that all men are lazy.

The Board considered that the advertisement does not depict men in a manner that discriminates against or vilifies them and determined that the advertisement does not breach section 2.1 of the Code.

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