



CASE REPORT

1. Complaint reference number	303/09
2. Advertiser	Stanley Australia
3. Product	Hardware & machinery
4. Type of advertisement	Radio
5. Nature of complaint	Language – use of language – section 2.5
6. Date of determination	Wednesday, 8 July 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

Man 1 “Hey Stan, this bloke has left his Sidchrome tools in the back of his Ute”. Stan, “Oh ripper, Sidchrome, the absolute best”. Man 1 “they’re bloody beautiful”. Stan “Tough as, last you a lifetime, I want ‘em, you grab ‘em”. Man 1 “Righto”. With the sound of a dog barking and growling in the background. Stan “what the hell’s that?”. Man 1 “bloody Blue Heeler”, Stan “Where?”, Man 1 “Around my friggin’ neck.” Stan “Oh, smart guy, got himself an Aussie Padlock”. Voice over says “The best tools deserve an Aussie Padlock – Sidchrome – you canna hand a man a granda spanna.” With the sound of dog barking and growling Man 1 “nice doggie”.

THE COMPLAINT

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

*I object to the language in the line: "Around my friggin neck"
Appearing on radio at such an early timeslot (6pm) when children could easily be present.*

THE ADVERTISER’S RESPONSE

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

The word frigging – used in ad as friggin’.

While a colloquial term with many different uses, the use of the word friggin’ in the Sidchrome radio ad is as a non-offensive response to the character having the mouth of a Blue Heeler dog around his neck in a disconcerting way.

This use of the word is best aligned to usage example ‘2’ as the verb of the word entry for ‘frig’ in the Australian Concise Oxford Dictionary – Frig 2. tr usually as an exclamation.

We feel the usage of the term does indeed indicate an exclamation and because the story being told in the radio ad has absolutely no sexual connotation, risqué plays on words or sexual innuendo, it should be seen as exactly that – a generally acceptable term in the public domain that denotes surprise without swearing.

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 about the use of the term 'friggin' on radio particularly

when children may be present.

The Board noted that the advertisement used the terms 'bloody' and 'friggin'. The Board considered that these two words are generally considered to be part of the Australian vernacular used to add particular emphasis and context to other words. The Board considered that in this advertisement the terms were used in a manner consistent with their colloquial usage and were not used in an offensive or aggressive manner. The Board considered that this language was not likely to be considered strong or obscene language. The Board noted that the advertisement was on radio and that children may be able to listen but considered that even in that context the language was unlikely to be considered offensive and that parents and carers are able to make station choices when children are in the car. The Board determined that the advertisement did not breach section 2.5 of the Code.

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