



CASE REPORT

1. Complaint reference number	400/05
2. Advertiser	Bugal Pty Ltd (Mobilemojo -
3. Product	Telecommunications
4. Type of advertisement	Print
5. Nature of complaint	Language – use of language – section 2.5
6. Date of determination	Tuesday, 14 February 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement, which is part of an advertisement for mobile phone ring tones and wallpaper, features the words “SHIT” in large capitals and “HAPPENS” underneath in smaller capitals. The wording is white on a black background.

THE COMPLAINT

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

The language content is excessive and I believe it to be in breach of section 2.5 of the code

THE ADVERTISER’S RESPONSE

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

Potential buyers of product item 4925570, are intelligent, open-minded and mature individuals who are clearly the target readers of the magazine that published the advertisement. Please note that we do consider the target market of the magazine before we even release our product promotion items to each one of them.

We are aware that we have observed the AANA Advertiser Code of Ethics carefully, adhered to the Pacific Magazines advertising policy, studied the nature of the New Idea Magazine as well as its target readers, and we certainly meant no harm in our advertisement.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board did not consider that the phrase ‘Shit Happens’ was inappropriate in the advertisement nor did they consider that “Shit Happens” was strong or obscene language.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.