



CASE REPORT

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| 1. Complaint reference number | 432/06 |
| 2. Advertiser | iSelect Pty Ltd (dingleberry) |
| 3. Product | Insurance |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Language – use of language – section 2.5 |
| 6. Date of determination | Tuesday, 14 November 2006 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a young blonde woman on an office phone relating to the receiver of the call “Hey hey hey, I just got a pay rise”, followed by a male voiceover advising “Got a new job? Planning a family? Time to review your health insurance. Visit iSelect.com.au or call 13 19 20”. The woman turns to the viewer and concludes “You would have to be a dingleberry to buy health insurance any other way”.

THE COMPLAINT

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

A dingleberry is a piece of human shit caught up in hairs round the anus. Several online dictionaries give this definition, and it does not seem to have any other meaning than as a gross insult. I find it offensive being called a dingleberry and I request prompt removal of it from broadcast.

THE ADVERTISER’S RESPONSE

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

The description of the word “dingleberry” as described in the complaint is unknown to us, and to our knowledge does not appear in any Australian print or online dictionary. Nor is the word used in any part of the Australian vernacular. The use of the term is intended to be of a comical and whimsical nature, and in no way is intended to reflect the meaning described in the complaint. The meaning as we understood if it has any meaning at all is that a dingleberry is possibly a berry that grows in the Swedish island of Dingle (my mothers interpretation) or a foolish person.

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 advertisement and noted the complainant’s comments about the use of strong language, in particular the word “dingleberry”. The Board considered whether the language breached section 2.5 of the Code.

The Board discussed the definition of the word and agreed that the definition put forward by the complainant was a definition that was not widely shared in the Australian community and therefore was not likely to cause offence. The Board agreed that in the context of the advertisement the word took on the meaning of a ‘fool’ and that it was not strong or obscene language. The Board also noted that the original definition of “dingleberry” as proposed by the complainant is the same as that of

“dag” which is widely used in the Australian vernacular and not considered offensive.

In finding that the term was unlikely to offend prevailing community standards the Board found the advertisement had not used inappropriate language in the circumstances and hence had not breached Section 2.5 of the Code.

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