



CASE REPORT

- | | |
|-------------------------------|--|
| 1. Complaint reference number | 498/08 |
| 2. Advertiser | Hog's Breath Cafe (Australia) Pty Ltd |
| 3. Product | Restaurants |
| 4. Type of advertisement | Transport |
| 5. Nature of complaint | Language – use of language – section 2.5 |
| 6. Date of determination | Wednesday, 10 December 2008 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This advertisement for Hog's Breath cafes appears on public transport. It shows an image of bright pink hog with white tusks, wearing black sunglasses beside plates of food. The words, "Get stuffed at Hog's Breath Cafe Wagga Wagga" appear to the left of the hog.

THE COMPLAINT

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

Use of inappropriate language for school students (in an era where schools are endeavouring to set appropriate levels of communication and respect) Students using those words to communicate to their teachers experience consequences. Seeing them emblazoned across the bus contradicts the school message of inappropriate use of language. The wording 'lowers the bar' of what's acceptable by the community. Use of inappropriate message in an era where students are encouraged to consider food selection in relation to general health and well-being.

THE ADVERTISER'S RESPONSE

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

In first responding, I would like to advise that we undertook the process of a focus group and a local store billboard for customer feedback, this was extremely positive. We have used this artwork in general mediums from the 10/10/2007 and this is our first piece of negative feedback whether on-line to head office or from ASB. This piece of artwork has been run nationally on billboards in Perth, Adelaide, Melbourne, Sydney, Brisbane, Gold Coast, Sunshine Coast and North Queensland again with no negative response. Throughout all stages of production for Hog's Breath Cafe print, outdoor and television advertising we constantly review all mediums to remain up-to-date with all undertakings in "good taste" and "good faith". Our intention is to deliver fresh, fun and attitude based lifestyle imagery that reflects our new mascot Hogster. I submit a selection of print and television commercials to show you our style and what is our mascot Hogster. We like to remain fun with a hint of irreverence but at no stage offend the general public. I have also attached the exact artwork from the bus in question at Wagga Wagga. At Hog's Breath Cafe we take very seriously our community responsibility for that of adults and children and our menu reflects this. With reference to the complaint "Use of inappropriate message in an era where students are encouraged to consider food selection in relation to general health and well-being", I have attached a page from our menu. You will see that our mascot encourages healthy eating with "Hogster's Healthy Helpings" and we have also introduced a Kid's pasta to the menu plus a wider range of healthy choices. The menu as a whole includes pasta,

large range of salads and lite options which reflect current dining trends and healthy choices.

THE DETERMINATION

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

The Board considered the application of Section 2.5 of the Code, relating to the use of language.

The Board considered that the words “get stuffed” form part of the common Australian vernacular and were used in a humorous context in the advertisement as a play on words. The Board considered the language used was neither strong nor obscene and found no breach of Section 2.5 of the Code.

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