



CASE REPORT

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| 1. Complaint reference number | 579/09 |
| 2. Advertiser | Albury Hobby Centre |
| 3. Product | Toys and Games |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Violence Cruelty to animals – section 2.2
Language – use of language – section 2.5 |
| 6. Date of determination | Wednesday, 9 December 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a character of an old man with young children sitting around and he is telling a story about back in my day when we were bored, my mother would tell me to go choke the chicken if he became bored. The scene cuts to the old man enacting choking the chicken. The voiceover in the advertisement then says how with Albury Hobby Centre, you'll never be bored

THE COMPLAINT

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

I feel that the advertisements from The Albury hobby center have always been inappropriate, with obvious sexual connotations.

But this ad in particular has children in the ad, then talks about spanking the monkey, which is slang for masturbating.

I have a four and five year old sons, and I find the ad is rude, in poor humour and not really talking about the products and fun they can give.

I object to the reference to 'choking the chicken' made in this ad. The presenter says "My Mum used to tell me to choke the chicken" when he was bored. There is then an image of a man strangling a bird.

I object to the reference made to masturbation with children used in the advertisement. I also object to the image of the bird being strangle- either way the ad is offensive.

THE ADVERTISER'S RESPONSE

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

Still more than a bit surprised that someone found it worthy of complaint rather than just merely changing channels - I don't force myself to watch things I don't like...nor do I keep slamming my hand in a car door if it hurts? Personal responsibility seems to have gone out the window these days. It seems to be easier to blame others instead of taking an action themselves...

For starters it also seems a bit petty to firstly have a complaint made at all, worse by an un-named accuser, and for them to actually single this pretty innocuous ad out especially given many of the other ads that seem to run these days. The Viagra ones are pretty confronting - eg. "Stiff" & "Sniff" the Piano players etc. yet they seems to run without interruption or comment?

Also an eyebrow raiser that this ad is deemed offensive by someone given and the language and double entendre on many programs themselves these days. eg. I watched "The Castle" last night on

Channel 9 and the F word was used repeatedly through that uncensored. It doesn't worry me at all, but surely people who make these complaints have far bigger targets to aim at than ours?

But FWIW we don't have an ad agency or production house. We write the scripts ourselves and they were filmed by the local WIN TV production team. We ran it past the TV reps who organised the shoot and their production team who didn't bat an eyelid. It was then sent off for vetting and it received approval with a W rating (The CAD approval No. was WR31SROA).

In its defence, its a harmlessly lame tongue-in-cheek ad with a cheesy double entendre gag with no bad language actually used, and the "bird" being strangled is clearly a stuffed fluffy toy. So the cruelty to animals reference is bordering on laughable I would have thought?

The kids used in the ad were actually those of the guy doing the add and 2 of the TV rep's who both had their wives there, and everyone had a laugh rather than thinking it was creepy or had paedophilia overtones.

Given the nature of our business which is hobbies & toys it was intended to be irreverent and humorous placed in time slots pitched primarily at an adult male demographic from 25-40 who are our main buyers, who I would have thought would be a touch more broadminded and exposed to far worse language and references in both ads and programs themselves without this offending sensibilities. FWIW too we've also had numerous calls and comments from people congratulating us on creating such amusing ads rather than the bland majority that grace most screens.

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 the advertisement was inappropriate because it was making a reference to masturbation with the term "go choke the chicken".

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

The Board considered whether the advertisement was in breach of section 2.3 or 2.5 of the Code. The Board noticed that the advertisement was for the promotion of a hobby centre and that the man in the advertisement was shown choking a toy chicken. The Board also noted that the advertisement is targeted to an adult male audience and is not directed to children particularly as it has a W CAD classification.

The Board noted that whilst some members of the community would interpret the advertisement as referring to masturbation (which is the advertiser's intended double entendre), most members of the community would not register that it was a reference to masturbation. The Board considered that young children would not be able to discern that the statement had a sexualised meaning. The Board considered that while some members of the public would find the double entendre offensive that the advertisement was not sexually inappropriate considering the audience and the language used was also not inappropriate to the audience. The Board determined that the advertisement did not breach section 2.3 or 2.5 of the Code.

The Board noted the depiction of a man choking a toy chicken. The Board considered that the depiction was clearly of a toy - not a real animal - and that there was no suggestion of or condoning of cruelty to animals. The Board determined that the advertisement did not breach section 2.2 of the Code.

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