

Case Report

1. Case Number :	0237-24
2. Advertiser :	7-Eleven Stores Pty Ltd
3. Product :	Automotive
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Decision:	25-Sep-2024
6. Decision:	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

There are two versions of this television advertisement.

The first version features a man driving a car along a straight road with a broken windscreen, with a man laying on the bonnet holding onto the wipers. The man on the bonnet says "Mate, we've been driving for so long I forget why I'm on your car."
The man driving says "I've got Mobil's best fuel ever at 7-Eleven, lets me go further, gives me more kilometres per tank."
A voice-over says "Go further with Mobil's best fuel ever at 7-Eleven."

The second version version features a man driving a car along a straight road with a broken windscreen, with a man laying on the bonnet holding onto the wipers. The man on the bonnet says "Mate, we've been driving for so long I forget why I'm on your car."
The driver says "I've got Mobil's best fuel ever at 7-Eleven, lets me go further per tank."
The man on the bonnet says "I guess the only thing we know for sure is that you're the bad guy and I'm the good guy."
The driver says "Oh you mean my eye."
The man on the bonnet says "Well I mean no, your whole look is leaning more..."
The driver says "Real nice."
A voice-over says "Go further with Mobil's best fuel ever at 7-Eleven."



THE COMPLAINT

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

The ad shows a man spread across the bonnet of a speeding car with the man yelling at the driver through a broken windscreen. He appears to be holding onto the edges of the bonnet.

The practise is extremely dangerous and there has been deaths and serious injuries from people particularly teenagers joyriding in this way.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Thank you for providing the opportunity to respond to the one complaint received in relation to 7-Eleven's "Go Further" advertisement (Advertisement) under section 2.6 of the AANA Code of Ethics (Code).

From the outset, 7-Eleven would like to acknowledge and emphasise our commitment and focus on safety. As one of Australia's largest fuel retailers, we serve millions of Australian drivers each week around the nation. At 7-Eleven we aim to actively identify hazards and manage risks within all of our workplaces, including our fuel sites, to promote safety as well as physical and mental wellbeing.

Our safety culture is built on a collective desire to model safe behaviour, whereby safety is a shared responsibility and all workers have the knowledge, competence and

desire to return home safe and well every day. At 7-Eleven we are committed to making safety a mindset and being 'Safer Together'.

For the reasons set out below, 7-Eleven believes that the Advertisement complies with all aspects of the Code.

The Advertisement is a television commercial featuring a parody of a Hollywood action movie featuring a "Hero" and a "Villain". It begins with a shot of a car driving along a straight, long and isolated road, devoid of any other vehicles. The car engine is revving. The sky is dark and moody. The camera zooms in to show a "Hero" clinging to the bonnet of a car casually chatting to the "Villain" driver through a broken windscreen. The "Hero" states "Hey, we've been driving for so long I forget why I'm on your car". The "Villain" tells the Hero that it's due to the fuel he purchased at 7-Eleven and the characters then start to banter about which of them is the "bad guy".

Ad Standard's initial assessment is that the relevant provision of the Code is 2.6 Health and Safety, which provides that advertising shall not depict material contrary to Prevailing Community Standards on health and safety. 7-Eleven does not believe that the Advertisement raises any issues against other provisions of the Code. Those other provisions are briefly addressed below, but the focus of this response is in relation to 2.6.

The Advertisement is the latest in a series of Hollywood-inspired fantastical, exaggerated, and humorous TV ads that 7-Eleven has created. The Mobil fuel series began 3 years ago and features Hollywood-inspired scenes that humorously explore all the places that Mobil fuel at 7-Eleven could take you. References include an Indiana Jones-like character filling up his vehicle at a 7-Eleven fuel station with an overflowing treasure chest in the boot, an Alien themed UFO abduction scene, a character seemingly fleeing out of the jungle from dinosaurs in a nod to Jurassic Park and a scene that could be from a Fast and Furious movie. One of our values is to "Delight Customers" and our series of fun and fantastical ads seeks to put a smile on Australians' faces.

The Advertisement continues the series with a humorous take on the many Hollywood action movies that have a character hanging on the bonnet of a car while the driver tries to escape them[1]. However, in this case, neither character can escape the other as the car is in the middle of nowhere and the characters have been driving for so long they have forgotten why they started driving to begin with. The "Hero" and "Villain" roles are explicitly spelt out in the dialogue (for example, "I guess the only thing we know for sure is that you're the bad guy and I'm the good guy" and "Well I mean no, your whole look is leaning more bad guy...") and through makeup and wardrobe to ensure the viewer understands the references and the dialogue continues to feature numerous exaggerated and comedic elements (see below). The story puts a heavy emphasis on the humour of the shared confusion between the two, as they try to

establish how they got there in the first place. To enable this, the Advertisement was directed by a well-renowned comedic director, known for creating over-the-top creative advertisements that aren't meant to be taken seriously.

The Advertisement is clearly theatrical, fantastical and intended to be humorous. The advertisement plays on cinematic "goodie vs baddie" and "action" themes and has been highly overdramatised with comedic elements to further ensure that the Advertisement reflects a fictitious scenario. These cinematic themes are enhanced by the theatrical music, sound effects and the dramatic sky to reinforce that this is a highly stylised 'made-for-tv' environment and not an everyday scenario that can be replicated in the real world.

Hair and makeup help to establish our characters clearly, with the "Villain" highlighted with a facial scar reminiscent of Mads Mikkelsen as Le Chiffre in James Bond, or Mike Myer as Doctor Evil from Austin Powers. The "Hero" is also established clearly with a lighter, optimistic look, reminiscent of Daniel Craig as the lead in James Bond, or Nicholas Cage in Con-Air.

Rather than featuring a modern car that would be regularly seen on Australian roads, an older style vehicle is featured, referencing movies such as James Bond and Death Proof.

Consistently with the Code of Ethics Practice Note, the Advertisement is photographed and directed to "feature exaggerated or fantastical elements, which are unlikely to be seen as realistic by the relevant audience, are unlikely to be found to be encouraging or condoning unsafe behaviour." It is also not behaviour that children could seek to imitate.

7-Eleven submits that the Advertisement does not encourage or condone unsafe behaviour because the Advertisement is highly stylised, fantastical, comedic and does not depict a real-world environment or suggest normal road use or driving behaviour. The shoot took place at an airstrip, deliberately so it looked nothing like a typical suburban Australian road and to further dramatise the scene. This is consistent with the approach taken to other advertisements where similar complaints have been dismissed by the Community Panel (for example: 0223-23 (Budget Direct); 0002-22 (Super Cheap Auto)).

We submit that the community would readily differentiate the scenario in the Advertisement from normal road use and not find the Advertisement to be promoting unsafe driving behaviour.

While the Advertisement is exaggerated, stylised and fantastical, we note that:

- the driver always wears a seatbelt and drives to road conditions and is otherwise operating the vehicle in a safe manner;*

- *at no point is the driver speeding or driving recklessly;*
- *the Advertisement was filmed under safe conditions with professional stunt teams at safe speeds.*

Other provisions of the Code

7-Eleven submits that the Advertisement does not raise any other issues under the Code. Briefly in respect of those other matters:

- *2.1 - Discrimination or vilification: there is no aspect of the Advertisement that raises issues of discrimination or vilification.*
- *2.2 - Exploitative or degrading: there is no aspect of the Advertisement that could be characterised as exploitative or degrading.*
- *2.3 – Violence: the Advertisement does not feature any violence—while the Hero is depicted as holding onto the bonnet of the car, the car is not speeding, there is no blood and the conversation between the Hero and Villain is calm and humorous.*
- *2.4 - Sex, sexuality and nudity: the Advertisement does not depict any sex or nudity, and there are no references to sexuality.*
- *2.5 – Language: the dialogue in the Advertisement is polite and calm, and there is no swearing or offensive language.*
- *2.7 - Distinguishable as advertising: the Advertisement is obviously distinguishable as advertising.*

Final Comments

We take our responsibilities under the Code seriously.

Prior to making this Advertisement, we sought and received classification and pre-approval, from CAD via the pre-approval process.

The early ideation stage had further interactions between the “Hero” and “Villain” including eating and drinking 7-Eleven products while driving, and throwing 7-Eleven food and drink items at one another while driving. These situations were removed to ensure the Advertisement did not depict unsafe behaviours while driving and to focus on the Hollywood style of the film, dramatising the “Hero” and “Villain” characters, to amplify the familiarity of these Hollywood tropes.

The Advertisement was classified “G” for General audiences by CAD.

As a fuel retailer, safety is a key focus for our business and we do not condone dangerous driving on our roads. We regret if any member of the public was concerned by the Advertisement; however we submit that the Advertisement does not depict content that would encourage or condone unhealthy or unsafe behaviour contrary to prevailing community standards.

We submit that the Advertisement does not breach Section 2.6, or any other section of the Code, and we request that the complaint be dismissed.

THE DECISION

The Ad Standards Community Panel (the Panel) considered whether the two versions collectively forming this advertisement breach Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement depicts unsafe behaviour.

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

Section 2.6: Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.

The Panel noted the Practice Note for this section of the Code includes:

"Images of unsafe driving, bike riding without helmets or not wearing a seatbelt while driving a motor vehicle are likely to be contrary to prevailing community standards relating to health and safety irrespective of whether such depictions are for the product/service being advertised or are incidental to the product.

Advertisers should take care not to depict behaviour that children may imitate. For example, advertisements which are likely to attract the attention of children or could indicate to children that appliances or other domestic/commercial equipment are a safe place to hide, are seen to encourage unsafe behaviour.

Advertisements which feature exaggerated or fantastical elements, which are unlikely to be seen as realistic by the relevant audience, are unlikely to be found to be encouraging or condoning unsafe behaviour."

A minority of the Panel considered that while the context of the advertisement was an action movie style scene, the behaviour of lying on the bonnet of a moving vehicle was realistic and could encourage copycat behaviour.

The majority of the Panel considered that the advertisement was exaggerated and fantastical and unlikely to be seen as realistic. The Panel considered that the behaviour in the advertisement is unlikely to be found to be encouraging or condoning unsafe behaviour.

The Panel considered that the advertisement did not contain material contrary to Prevailing Community Standards on health and safety.

Section 2.6 conclusion

The Panel concluded that the advertisement did not breach Section 2.6 of the Code.

Conclusion

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.