



## Case Report

1	Case Number	0486/14
2	Advertiser	Wicked Campers
3	Product	Travel
4	Type of Advertisement / media	Transport
5	Date of Determination	26/11/2014
6	DETERMINATION	Upheld - Not Modified or Discontinued

### ISSUES RAISED

2.5 - Language Strong or obscene language

### DESCRIPTION OF THE ADVERTISEMENT

"You're F#ckin' Out! I'm F#ckin' In!" on the right hand side of van. Pro drugs slogan at the back.

### THE COMPLAINT

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

*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 concerns that the advertisement contains obscene language which is not appropriate for children to see.*

*The Board viewed the advertisement and noted the advertiser did not provide a response.*

*The Board considered whether the advertisement was in breach of Section 2.5 of the Code.*

*Section 2.5 of the Code states: "Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided".*

*The Board noted the advertisement features the text: "You're F#ckin Out!" "I'm F#ckin In.!"*

*The Board noted it had previously upheld similar slogans for the same advertiser, specifically in cases 0090/14, 0091/14, and 0092/14 where the use of the work "fuck" is either used in its*

entirety or in the case of 0092/14 a symbol “#” is used to replace the “U”

The Board noted that this advertisement uses the abbreviated version of the word fucking and includes a hash tag symbol (#) in place of the letter “U”. The Board noted that the use of only one symbol is not enough to disguise what the word is meant to read and that it is clear what the full word is meant to say.

The Board noted the image of the man on the vehicle. The Board discussed the representation of the man who is a drawing of the character “Kenny Powers.” He is a fictional character in the television series *Eastbound and Down*. The Board noted that the character is known for his inflated ego and short temper. The Board discussed that the character would not be someone that is familiar to most members of the community and that his presence on the side of the vehicle is aggressive.

The Board then discussed the use of the text on the vehicle and noted that the word ‘fucking’ is a colloquial reference to sexual intercourse. The Board considered that the use of the word ‘fuckin’ in connection with the image of Kenny Powers is presented in an aggressive manner and considered that this amounts to language which is strong and obscene and inappropriate in the circumstances.

Consistent with this previous determination the Board noted the advertisement did breach Section 2.5 of the Code.

Finding that the advertisement breached Section 2.5 of the Code the Board upheld the complaint.

## **THE ADVERTISER’S RESPONSE**

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

*Advertiser did not provide a response.*

## **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 concerns that the advertisement contains obscene language which is not appropriate for children to see.

The Board viewed the advertisement and noted the advertiser did not provide a response.

The Board considered whether the advertisement was in breach of Section 2.5 of the Code.

Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided”.

The Board noted the advertisement features the text: “You’re F#ckin Out!” “I’m F#ckin In.!” The Board noted it had previously upheld similar slogans for the same advertiser, specifically in cases 0090/14, 0091/14, and 0092/14 where the use of the work “fuck” is either used in its entirety or in the case of 0092/14 a symbol “#” is used to replace the “U”

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Consistent with this previous determination the Board noted the advertisement did breach Section 2.5 of the Code.

Finding that the advertisement breached Section 2.5 of the Code the Board upheld the complaint.

## **THE ADVERTISER'S RESPONSE TO DETERMINATION**

At the time of publication, the advertiser had not provided a response.