

<b>COMPLAINT NUMBER</b>	19/288
<b>COMPLAINANT</b>	K Beaumont
<b>ADVERTISER</b>	Ilam Toyota
<b>ADVERTISEMENT</b>	Ilam Toyota, Radio
<b>DATE OF MEETING</b>	12 August 2019
<b>OUTCOME</b>	No Grounds to Proceed

**Advertisement:** The radio advertisement for Ilam Toyota has a customer mistaking the commentator's statement about the perfect match of car for the perfect rugby match. The Advertiser says "And you'll love the new state of the art car wash at Ilam Toyota." The customer replies "Everytime I get a service my ute gets a bloody good clean!"

**The Chair ruled there were no grounds for the complaint to proceed.**

**Complainant, K Beaumont, said:** It was an advertisement for Ilam Toyota talking about 'best match' and the guy saying about Dan Carter in a Lions Test Series. I understand it was supposed to be a humorous ad with a typical blokey feel to it (rugby, hilux etc) but there was a phrase i felt shouldn't be on air which used the word 'bloody'.

**The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);**

**Principle 1: Social Responsibility:** Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society

**Rule 1(c): Decency and Offensiveness:** Advertisements must not contain anything that is indecent, or exploitative or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt abuse or ridicule.

**The Chair** noted the Complainant's concerns about the inappropriate use of the word 'bloody'.

In considering the complaint the Chair referred to precedent Decision 11/624 which considered a similar phrase and context and had been ruled no grounds to proceed. In that decision the advertisement for Weight Watchers had a husband commenting that his wife "looks so bloody amazing." The Chair said the word 'bloody' had been used with light-hearted, humorous intent and did not meet the threshold to offend.

Turning to the complaint before her, the Chair acknowledged the Complainant's unease with the Advertiser's choice of language, however she was of the view the word "bloody" had been used in a non-threatening, humorous context to emphasise how pleased the customer was with the Advertiser's car cleaning services.

The Chair noted that "bloody" was not listed on the Unacceptable Words on Television and Radio list published by the Broadcasting Standards Authority in 2018.

The Chair ruled the advertisement did not meet the threshold to be likely to cause serious or widespread offence, taking into account generally prevailing community standards.

The Chair ruled the advertisement had been prepared with the due sense of social responsibility to consumers and to society and had not breached Principle 1 or Rule 1(c) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaint to proceed.

**Chair's Ruling:** Complaint **No Grounds to Proceed**

#### **APPEAL INFORMATION**

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website [www.asa.co.nz](http://www.asa.co.nz). Appeals must be made in writing via email or letter within 14 days of receipt of this decision.