



CASE REPORT

1. Complaint reference number	283/05
2. Advertiser	Sanofi Aventis (Telfast)
3. Product	Health Products
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Other - Social values
6. Date of determination	Tuesday, 11 October 2005
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The opening scene in this television advertisement depicts an overweight man standing by a photocopier in an office setting. He is eating a chocolate donut. Suddenly, he begins choking. He falls to the floor and does not move. Two colleagues stand close by, but do not seem worried for their co-worker. One of them gently nudges the unconscious worker with his foot before emptying the contents of a vase over the man's face. The man remains unconscious. At this point, the office manager kneels down to begin CPR. However, the flowers that have been dumped onto the unconscious man give the manager hay fever, causing him to sneeze. A voiceover states: "*Think fast... Telfast*". The final scene depicts the overweight man as having recovered. He is shown working at his desk with his manager standing behind him.

THE COMPLAINT

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

"... It smacked of bad taste and callous indifference!"

"Having been in an office situation where someone did have a heart attack on the office floor (subsequently died) speed by all involved is of the essence and frankly, the ad is in poor taste. The ad portrays what can only be described as a non-existent work environment, playing on the misfortunes of another. This is clearly crafted to cheapen life and human activity in order to promote their tablets."

THE ADVERTISER'S RESPONSE

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

"...It is clear that the viewers understood that the office worker was choking on a donut rather than having a heart attack."

"... it is clear that the 'day is saved' ..."

"It is recognised that the depiction is an "over-the-top" dramatisation of a situation for hay fever sufferers and they could identify with the point the commercial was trying to make."

"... Whilst there is a period during the initial part of the advertisement in which it is not clear what is happening, we believe that as the advertisement progresses, it does become clear that the condition was not serious, as evidenced by the office worker returning to his desk with a sheepish look on his face..."

“... when viewed in its entirety, we doubt if there is much risk that it would be viewed as anything other than a humorous exaggeration of an engineered situation. We do not consider that it breaches any of the requirements of section 2 of the AANA Advertiser Code of Ethics.”

THE DETERMINATION

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

The Board was of the view that the actions of the co-workers depicted in this advertisement were obnoxious, uncaring and in very bad taste. However, the Board noted that the advertiser had intended the advertisement to be humorous. The Board considered that the majority of people would understand the advertiser’s intentions and not interpret the advertisement as an endorsement of this kind of behaviour.

The Board found that the depictions did not contravene the provisions of the Code relating to the portrayal of people (social values).

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.