



Case Report

1	Case Number	0015/11
2	Advertiser	Dulux Group
3	Product	Other
4	Type of Advertisement / media	Print
5	Date of Determination	09/02/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.2 - Violence Cruelty to animals

DESCRIPTION OF THE ADVERTISEMENT

A man painting his concrete outdoor area in the backyard with his pet dog suspended from a balloon above the area.

The advertisement is for Berger Jet Dry AquaTread, a paving paint.

THE COMPLAINT

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

The dog must surely have been terrified by the experience of being suspended in the air. This is unnecessary cruelty.

THE ADVERTISER'S RESPONSE

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

The dog was at no time suspended in the air. It was photographed on the ground. The graphics were then retouched to make the dog appear as if it were suspended. It was our

expectation that any reasonable person would assume that the communication is a tongue in cheek illustration of our product's benefits and in no way represents a recommendation that pets should be suspended by balloons.

The dog was certainly not harmed in the making of this advertisement.

THE DETERMINATION

The Advertising Standards Board (Board) considered whether this advertisement breaches Section 2 of the AANA Advertiser Code of Ethics (the "Code").

The Board noted complainants' concerns that the advertisement depicts unnecessary cruelty to animals.

The Board noted section 2.2 of the Code which requires that 'advertising or marketing communications not use violence unless it is appropriate in the context of the advertised product or service.'

The Board noted the advertisement features a man using Dulux paint in his yard and there is a dog suspended beneath a large balloon hovering next to him so that the dog is not able to walk in the paint.

The Board noted the advertiser's response that at no time was the dog suspended in the air and that this effect was achieved using computer tools.

The Board considered that most reasonable members of the community would understand that this advertisement uses computer generated graphics and that the situation depicted is unreal and is purely to illustrate the accompanying text regarding walking on wet paint.

The Board determined that the advertisement did not breach section 2.2 of the Code as it does not depict any violence or condone or encourage violence against animals.

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