



Case Report

1	Case Number	0070/13
2	Advertiser	Bayer Australia Ltd
3	Product	Professional Service
4	Type of Advertisement / media	TV
5	Date of Determination	13/03/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

Giaan Rooney, an Olympian and a pet parent, presents the advertisement as the brand ambassador for Advocate. Giaan discusses how Advocate can protect pets against fleas and we see a dog licking the face of a young child.

THE COMPLAINT

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

This is dangerous as this product does not treat tape worm in dogs or cats. Tapeworm can be transmitted to a child as a direct result of close contact such as a dog or cat licking a child's face or inappropriate hygiene such as patting a pet and not washing the hands.

I have a master's degree 'parasitology' qualification and am extremely concerned regarding the dangerous message this is sending to the public and the impact on child health. Under no circumstances should a dog ever be permitted to lick a child's face.

THE ADVERTISER'S RESPONSE

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

Background

We note that the complaint(s) was initiated and submitted online to the Advertising Standards Bureau.

Your letter states that in addition to considering the specific issues raised by the complainant, the Advertising Standards Board will review the advertisement against section 2 of the Advertiser Code of Ethics (Code). In this regard, you have asked us to consider whether any issues within the advertisement fall within section 2 of the (Code).

In our view, the only section of the Code which is potentially relevant to the complaint is section 2.6, which provides that Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

For the purposes of our response, we note that the Code for Advertising & Marketing Communications to Children does not apply because the advertisement, having regard to the theme, visuals and language use, is not directed primarily to children. Similarly, the AANA Food and Beverages Marketing and Communications Code does not apply because the advertisement does not relate to a food or beverage.

Bayer's response to the complaint

The following issues were raised by the complainant:

"[The advertisement] is dangerous as this product does not treat tape worm in dogs or cats. Tapeworm can be transmitted to a child as a direct result of close contact such as a dog or cat licking a child's face or inappropriate hygiene such as patting a pet and not washing the hands".

Bayer does not agree that the issues raised by the complainant are justified. This view is based on scientific advice which Bayer has received from one of its senior veterinarians, who is also a Member of the Australian College of Veterinary Scientists (Pharmacology) and a member of the Australian Society for Parasitology.

Specifically, the advice Bayer has received is that the claim made by the complainant that tapeworm can be transmitted to a child as a direct result of close contact such as a dog or cat licking a child's face is not correct. The reasons for this are set out below.

Essentially, there are 3 broad tapeworm groups of interest to companion animals and all require an intermediate host to complete the life cycle. This means, more specifically, that direct transmission of a tapeworm infection from a pet to a human does not occur. The three broad tapeworm groups are:

a. the Flea Tapeworm (D.caninum): this is the most common tapeworm of dogs and cats in Australia. Infection is caused when the infective intermediate host (which is the flea) is swallowed. This is usually the result of grooming by the pet. Advocate provides optimum flea control by eliminating adult fleas on the animal and larval fleas in the environment. In simple terms, if there are no fleas, there can be no flea tapeworm. It is highly improbable that an infected flea, if present, would be on the mouthparts of the pet and transferred to a human by licking.

b. the Taeniad Family Tapeworms: infection from this tapeworm is caused when the intermediate host (a bird, rodent, small mammal, lizard, skink, frog, etc) is swallowed as prey by a hunting animal. Again, direct transmission from a dog to a human does not occur.

c. the Hydatid Tapeworm: this is a potentially serious condition in humans where tapeworm eggs may be transmitted from the coat of a dog to a human. The result is not a tapeworm infection but a disease condition where a part of the tapeworm lifecycle develops in the form of cysts in internal organs. However, this condition is rare and has been removed from the notifiable diseases list within the National Notifiable Diseases Surveillance System (NNDSS) run by the Federal Government's Department of Health and Ageing. Most Hydatid tapeworm infection in dogs is seen in rural areas, in working dogs that have access to raw sheep offal or dead wildlife.

Based on the above, there is no sound basis for the complainant's assertion that "[the advertisement] is dangerous" and that "[t]apeworm can be transmitted to a child as a direct result of close contact such as a dog or cat licking a child's face". The weight of scientific evidence establishes that direct transmission of the parasite from dogs to humans does not occur. Accordingly, in our view, the advertisement does not breach section 2.6 of the Code, or any other section of the Code.

It is also important to note that the situation presented in the TV commercial is an urban, domestic setting which depicts the real-life situation of children interacting with pets. The animal is healthy, domesticated and well cared for, and poses no potential risk for the transmission of tapeworm infection. In this regard, the scenario depicted in the advertisement is entirely consistent with prevailing community standards.

We trust that the concerns of the Advertising Standards Bureau have been sufficiently addressed, but should you require any further information, please do not hesitate to contact us.

Otherwise, we look forward to your favourable 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 features a dog licking a child's face and that this is contrary to health and safety surrounding disease.

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

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: "Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety".

The Board noted the advertisement is for a flea prevention product for animals and depicts a dog licking a girl's face. The Board noted that the girl is with her parents and considered that whilst many parents might not condone animals coming in to such close contact with their children, the action of a dog licking a child's face is common within dog-owning households. The Board considered that most members of the community would agree that the practice of a dog licking a child's face, whilst not to be encouraged, is not of itself a breach of community standards on health and safety.

The Board noted the complainant's concerns that the product advertised does not treat tape worm and dogs can pass on tape worm to a child by licking his or her face. The Board noted the Advertiser's response that it is highly improbable that worms can be passed on in this manner. The Board considered that the overall message of the advertisement is to bring parents' attention to the issue of fleas and worms in their pets and to encourage the use of a product which will minimise their pets' chances of having problems with fleas or worms.

Based on the above the Board considered that the advertisement does not depict material contrary to prevailing community standards on health and safety around animals.

The Board determined that the advertisement did not depict material which would be in breach of Section 2.6 of the Code.

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