



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Ad Standards Limited
ACN 084 452 666

Case Report

1. Case Number :	0128-20
2. Advertiser :	GMHBA
3. Product :	Insurance
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	8-Apr-2020
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

The television advertisement depicts two boys in a backyard hideout after school. The boys are discussing how much money they will get from the "Tooth Fairy" for their recently lost baby teeth. One boy says he receives \$1 while the other receives \$2. The boys share a look. The next scene depicts the second boy putting an extra tooth under his pillow, and then the scene shows him giving the first boy money in the hideout. The boy then start wiggling their teeth. One boy asks if the big ones are worth more.

THE COMPLAINT

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

This isn't a good ad as it promotes damaging teeth and kids are gullible enough to think it's a good idea and their teeth come out too easily. I'm sure dentists would not be impressed and adults would be looking at suing GMHBA as well as channel seven over damaging the health of our youth.

THE ADVERTISER'S RESPONSE



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

We refer to the complaint received by Ad Standards on 17 March 2020 (Complaint) which raises concerns with respect to the Advertisement's compliance with section 2.6 of the Australian Association of National Advertisers (AANA) Code of Ethics (AANA Code).

For the reasons set out below, GMHBA respectfully submits that the Advertisement does not breach section 2.6 of the AANA Code nor any other provision of the AANA Code or related AANA Codes of practice.

Purpose of the Advertisement

The purpose of the Advertisement is to promote the value available to customers who join GMHBA health insurance by highlighting some of the many benefits offered by GMHBA, including choice of provider and the ability for members to earn rewards for healthy behaviours through the health and wellbeing program, AIA Vitality. To demonstrate the additional value available to customers, a playful depiction of 2 boys working together to ensure they get the best return from the "Tooth Fairy" on their lost baby teeth is used. The Advertisement is light-hearted, humorous and reflects the innocent, yet mischievous nature of the young boys featured.

Media placement and target audience of the Advertisement

On 6 February 2020, ClearAds (formerly known as CAD) provided the Advertisement with a G classification, deeming it suitable for general viewing.

Notwithstanding the G classification, the Advertisement is not targeted at children as GMHBA's target demographic is adults aged over 25 years, noting the obvious fact that young children do not purchase private health insurance. As such, GMHBA did not purchase any viewing spots for the Advertisement during programs which were specifically aimed at younger audiences.

In addition to the viewing spots purchased by GMHBA, the Advertisement was also shown during programs which were included as an extension of reach bonus. While the selection of these viewing spots was outside GMHBA's control, based on our internal review, only 2 out of the total 1,250 viewing spots for the 6 week campaign were during programs which are likely to be considered to be targeted at children.

General response to the Advertisement

Despite the assertion in the complaint, we confirm that we are not aware of any dental health professionals having raised any concerns with respect to the impact the Advertisement could have on a child's health.

Complaint - Section 2.6 of the AANA Code

In light of the above, we were very surprised (and quite disappointed) to receive notification of the Complaint and learn of the concerns raised relating specifically to



section 2.6 of the AANA Code, which prohibits advertisements from depicting material contrary to the current community standards on health and safety.

GMHBA's aim is to encourage people to become "healthier together". We take pride in promoting the health and wellbeing of our members, including children and younger people, and consider ourselves well versed on community standards relating to health and safety.

The manner in which the 2 boys in the Advertisement are shown to be wobbling their teeth is clearly playful and humorous particularly given the context of the Advertisement and GMHBA's campaign generally. It does not, in any way, encourage children who may view the Advertisement (noting that the Advertisement is not targeted at children and has only rarely been shown during programs which are specifically aimed at younger audiences) to aggressively remove their teeth or cause damage to their mouth and we cannot see how any such inference can be credibly drawn.

As such, we submit that the depiction of children wiggling their baby teeth could not reasonably be contrary to the accepted community standards on health and safety. We reiterate that there has been no concern expressed by any dental health professional or dental industry body.

Further to the above, we note that the complainant was concerned about promoting "damaging teeth" and "damaging the health of our youth". With respect, this appears to be a misguided concern. We consider that children wobbling baby teeth is relatively common, particularly in western culture due to the popularity of the "Tooth Fairy" fable. Furthermore, it is difficult to see how wobbling baby teeth generally could negatively impact a child's oral health noting that:

- no amount of general wobbling of permanent teeth or solid baby teeth would lead to their removal; and*
- wobbling loose baby teeth is common and understood in society.*

The above aside, as previously noted, the purpose of the Advertisement is to promote the great value available to customers who join GMHBA. The tone of the Advertisement is cheerful and amusing and shows the 2 boys playing together safely. The purpose of the Advertisement is not to encourage children to "wiggle their teeth out" or to promote "damaging teeth" as is suggested in the Complaint, and we cannot see how it could be construed as such.

Section 2 of the AANA Code

In addition to the above, we submit that the Advertisement does not breach any other provision in section 2 of the AANA Code. We set out our comments in this regard below.

Section 2.1 - Discrimination or Vilification

We do not consider the Advertisement breaches section 2.1 of the AANA Code. The Advertisement does not in any way portray or depict unfair or less favourable



treatment, or humiliate, intimidate, incite hatred, contempt or ridicule any person or group on the basis of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

Section 2.2 - Exploitative and Degrading Sexual Appeal

We do not consider the Advertisement breaches section 2.2 of the AANA Code as sexual appeal is not employed in the Advertisement.

Section 2.3 - Violence

We do not consider the Advertisement breaches section 2.3 of the AANA Code as there is no violence presented or portrayed in the Advertisement.

Section 2.4 - Sex, Sexuality and Nudity

We do not consider the Advertisement breaches section 2.4 of the AANA Code as the Advertisement does not depict sex, sexuality or nudity.

Section 2.5 - Language

We do not consider the Advertisement breaches section 2.5 of the AANA Code as the Advertisement does not contain any offensive language.

Section 2.7 - Clearly Distinguishable Advertising

We do not consider the Advertisement breaches section 2.7 of the AANA Code as the content of the Advertisement is clearly commercial in nature. In particular, we note that the final frame includes GMHBA's logo and a voice over which prompts viewers to "Search GMHBA or call to join today".

Other AANA Codes

For completeness, we note that the Advertisement does not fall within the scope of the AANA Code for Advertising and Marketing Communications to Children or the AANA Food and Beverages Marketing Communications Code. Similarly, as GMHBA is a not licensed wagering operator, the provisions of the AANA Wagering Advertising and Marketing Communications Code do not apply to the Advertisement.

THE DETERMINATION

The Ad Standards Community Panel (Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement promotes damaging teeth by wiggling them which is damaging to children's health.

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

The Panel considered whether the advertisement complied with 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 Panel noted that the advertisement depicts two young boys who are of an age where losing teeth is common. The Panel considered that the advertisement suggests that the boys already have loose teeth and they had each already lost one. The Panel considered that wiggling baby teeth is a very common practice among children and that it can assist in helping teeth to fall out.

The Panel noted the advertiser’s response that no amount of wiggling a permanent tooth or solid baby tooth would lead to their removal and that wobbling loose baby teeth is common and understood in society.

The Panel considered that most members of the community would not consider that a child of tooth-losing age wiggling a loose tooth to be behaviour which would be damaging to their health.

The Panel considered that the advertisement did not contain material which would be contrary to Prevailing Community Standards on health and determined that it did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.