



Case Report

1	Case Number	0157/13
2	Advertiser	Mattel Pty Ltd
3	Product	Toys and Games
4	Type of Advertisement / media	TV
5	Date of Determination	22/05/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Causes alarm and distress to Children
- 2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

A voiceover says, "Monster High. Join us in Scaris, the city of frights, Boo la la and ghoulish fashion delights" and we see Monster High dolls on screen wearing and using different accessories.

THE COMPLAINT

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

Dora the Explorer is a show for young children and infants less than five years of age. Our 3 year old daughter does not need to know about skeleton monster dolls, that via their very names, for e.g. scaris, let alone styling and colours are designed to be frightening. It was rather difficult to explain what these dolls were and that she didn't need to be scared by them. I object to our child being frightened via unsuitable advertising screened during a very popular young children's show.

THE ADVERTISER'S RESPONSE

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

Mattel takes its obligations under the Australian Association of National Advertisers Code of Ethics seriously and is very concerned to ensure that its advertisements do not contain any material which presents or portrays violence or is contrary to prevailing community standards.

About Monster High and the relevant advertisement

Monster High is a media franchise from Mattel that was launched in 2010. Its story revolves around the hip teenage descendants of the world's most famous monsters as they brave the trials and tribulations of high school and beyond. Apart from fashion dolls, there are also other consumer products such as stationery, bags, key chains and various toys, as well as Monster High TV specials, a web series, a direct to DVD movie and software. There are over 20 different Monster High dolls.

The Monster High brand is very much about celebrating each character's differences and the fact that everyone has their own specific traits that should be celebrated as being a true original. This brand is designed for girls to help play out this celebration in a way that is fun and imaginative based in the lives of children of famous monsters.

The relevant Monster High advertisement, the subject of the current complaint, commenced airing on Sunday 28 April 2013 and aired until Saturday 25 May 2013. The relevant advertisement runs for approximately 30 seconds, and is designed to introduce characters in the Monster High franchise to consumers, namely Clawdeen Wolfe, Rochelle Goyle, Frankie Stein, Jinafire Long, Skelita Calaveras.

No breach of rule 2.3, AANA Code of Ethics: advertising or marketing communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised

Mattel does not consider that the advertisement breached the AANA Code of Ethics, rule 2.3. The advertisement does not present or portray violence.

The advertisement was designed to introduce the new Monster High characters to the Australian public. The characters are depicted in ghoulish fashionable clothing and make-up in line with the Monster High concepts and themes. The depiction is stylised rather than realistic and Mattel notes that the AANA 2012 Code of Ethics Practice Note states "More leeway is permitted where the depiction is stylised rather than realistic." In any event, the advertisement has no suggestion of violence or menace.

The portrayal of the dolls, including styling and colours and their names are justifiable in the context of the Monster High products being advertised.

No breach of rule 2.6, AANA Code of Ethics: advertising or marketing communications shall not depict material contrary to prevailing community standards on health and safety.

Mattel does not consider that the advertisement breached the AANA Code of Ethics, rule 2.6. The advertisement does not contain any material which is contrary to prevailing community standards relating to health and safety. It does not depict unsafe practices or images or behaviour which children could reasonably imitate. It does not contain any images of the kind referred to in the AANA 2012 Code of Ethics Practice Note. It does not depict bullying and does not depict any unequal relationships between the characters in the advertisement. Whilst the new Monster High characters are depicted in ghoulish fashionable clothing and make-up in line with the Monster High concepts and themes, the advertisement complies with the

AANA code for Advertising & Marketing Communications to Children and in particular does not portray images or events in a way that is unduly frightening or distressing to children.

Mattel's next steps

Notwithstanding that Mattel does not consider that the advertisement breaches the AANA Code of Ethics, Mattel appreciates the upset experienced by the complainant and his 3 year old daughter, and has taken steps to remove this advertisement from that particular timeslot during Dora the Explorer.

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 complainants’ concerns that the advertisement features imagery which is alarming and frightening to young children.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 of the Code states: “Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised”.

The Board noted that the advertisement features various scenes of the Monster High Dolls moving throughout the city of “Scaris.”

The Board considered that the advertisement depicts the dolls in ghoulish fashionable clothing and make-up in line with the Monster High concepts and themes and that they are clearly depicted as toy dolls. The Board considered the advertisement did not depict violence and did not breach Section 2.3 of the Code.

The Board then considered whether the advertisement was in breach of 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 considered in particular the potential impact on the physical or mental health of viewers of the advertisement on the grounds of “alarm and distress.”

The Board considered that the showing of footage that highlighted the actual product together with a catchy jingle was not unnecessarily frightening and that the theme behind the design of the doll is to draw on their monster’s character in a modern way. The Board considered that the broadcast of this advertisement is stylised rather than realistic and that there are no scenes where the dolls are inciting fear or trying to scare viewers.

The Board noted that the advertisement complied with Commercial Television Industry Code of Practice and the advertisement was classified with a “C” rating and appeared in the appropriate timeslots for the rating given.

The Board determined that the advertisement did not depict material that was contrary to prevailing community standards on health and safety and did not breach Section 2.6 of the Code.

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