



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
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## Case Report

<b>1. Case Number :</b>	<b>0206-21</b>
<b>2. Advertiser :</b>	<b>Gentech</b>
<b>3. Product :</b>	<b>Hardware/Machinery</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Free to Air</b>
<b>5. Date of Determination</b>	<b>28-Jul-2021</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

This television advertisement features a portable generator being shown in multiple different areas including work sites, work vehicles, workshops, sheds, and private use.

### THE COMPLAINT

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

*Generators shown to be operating in an unsafe manner. Internal combustion engines being used inside a shed without showing adequate ventilation. Also being operated meters from the house front door where people seem to reside. This shows poor practice due to exhaust gasses. Carbon monoxide poisoning and other dangerous gasses and fumes.*

### THE ADVERTISER'S RESPONSE

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



*The Advertisement is for Gentech Generators. The advertisement promotes the use of a Gentech Generator in times when constant reliable power is required in a power outage or when power is not available in a remote environment. The Advertisement shows a series of shots of the generator in operation in a few different environments. The Advertisement is not directed at children and is directed towards adults who require power in the above mentioned scenarios. The media schedule is in no way focused on children's programming.*

*In regards to the above complaint and in particular in reference to Section 2.6 Advertising shall not depict material contrary to Prevailing Community Standards on health and safety. All vision was shot in environments which are considered safe operation of the generator. The two shots which form part of the complaint are shot in well ventilated areas. The shot of the farmer welding in the shed using the generator. This shed is well ventilated with a high roof and extra large opening to allow movement of large tractors in and out of the shed. This allows for sufficient airflow around the Generator. Although the shot doesn't show the opening of the shed you can tell from the shot of the amount of daylight coming in from beside and behind the camera to create daylight shadows across the shed. The other shot in question shows the generator being used at the front door of a home. The generator is being used outside and although is close to the front door of the home, because the generator is outdoors, the air flow around the generator is enough to dissipate any fumes/exhaust gasses that may result from the usage of the generator.*

*Gentech Generators user manuals state that generators are to not to be run in closed areas and also 1 metre away from any obstructions to allow for adequate ventilation and air flow.*

*To address the concerned complainants issues Welling & Crossley would be happy to add a disclaimer to the commercials. Such as - Generators should be used in a well ventilated area and used in accordance with all recommendations from the manufacturer. All vision shown are shot in well ventilated areas.*

## **THE DETERMINATION**

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

The Panel noted the complainant's concerns that the advertisement depicts dangerous behaviour by depicting generators placed in locations without adequate ventilation.

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

**Section 2.6: Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.**

The Panel noted the Practice Note to Section 2.6 which states:



*“Advertising which demonstrates the unsafe use of machinery, even when not the focus of the advertisement, is likely to be seen as unsafe and against prevailing community standards on health and safety.”*

The Panel considered the two scenes which were of particular concern to the complainant.

In the scene showing the generator in a shed, the Panel considered that it is clear that the shed is quite large. The Panel noted that the light in the shed gives the impression that large doors are open and that the area is well ventilated.

In the scene showing the generator positioned near a front door, the Panel considered that the area is well ventilated, being outdoors, and noted that the front door to the house was closed.

The Panel noted the advertiser’s response that the generator is placed in locations which are considered safe use of the product. The Panel further noted the advertiser’s comment that the user manual of the product states that generators are to not to be run in closed areas and also 1 metre away from any obstructions to allow for adequate ventilation and air flow, and the Panel considered that the advertisement showed product use which did comply with such guidelines.

### **Section 2.6 conclusion**

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

### **Conclusion**

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