



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0208-21
2. Advertiser :	Fleurieu Milk Company
3. Product :	Food/Bev Groceries
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	28-Jul-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This television advertisement has four versions. In 2x 30sec versions the advertisement depicts a man riding around a farm on a quad bike. In the 2x 15sec versions, he is only shown stationary sitting on the quad bike.

THE COMPLAINT

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

The main farmer riding a quad bike in shorts with no helmet, thanking everyone. This is dangerous and the cause of numerous farm related deaths.

THE ADVERTISER'S RESPONSE

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

The Television Commercial shows Fleurieu Milk Owners and Staff thanking South Australia consumers for supporting their Products.



The wearing of a Helmet / Safety Clothing on Private Property is not required under South Australian law.

The TV Commercials were all planned and shot in accordance with the requirements of SA State Law.

The Dairy Farmer on the TV ad has decades of experience with riding and working with cattle on a Quad Bike.

There is nothing shown in the TV ad that depicts dangerous or excessive misuse of a Quad Bike.

In fact, operating a Quad Bike around livestock has to be done slowly and carefully so as not to stress the stock.

All Operators on the Fleurieu Milk dairies operate quad bikes safely and in compliance with all State Laws.

We feel this complaint reflects a personal view of the complainant that does not reflect viewer opinion of the operation of the Quad Bike in these TV ads.

It is simply a depiction of everyday life on a working dairy farm.

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.

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 this section of the Code which states:

"In relation to the portrayal of farming, the dangerous use of quad bikes, children riding on tractors or other unsafe practices involving farming machinery will be contrary to prevailing community standards relating to health and safety. "

The Panel noted that while there is a general consensus in the community that wearing appropriate safety gear including helmets is preferable when riding a quad bike, there are no rules regarding the use of helmets on private property in South Australia.

The Panel considered that the man on the advertisement is clearly an experienced rider and noted that the brief scene showing the quad bike moving depicts it moving



at a low speed, as the man is working near cattle. The Panel considered that the advertisement showed the safe use of a quad bike.

The Panel considered that the advertisement depicts an experienced rider on private property riding at a low speed and considered that most members of the community would not find this to be promoting or encouraging unsafe behaviour.

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.