



Case Report

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| 1 | Case Number | 0218/13 |
| 2 | Advertiser | Mars Confectionery |
| 3 | Product | Food and Beverages |
| 4 | Type of Advertisement / media | TV |
| 5 | Date of Determination | 10/07/2013 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

We see a male and a female working at a crocodile park. The man is feeding the crocodile and when the female worker offers him some Pods, he gets so distracted by them that he doesn't notice that the crocodile has latched onto his arm. The female asks him if it hurts and he says no.

THE COMPLAINT

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

I feel very strongly about this type of advertising when I have 3 small grandsons viewing the football.

We teach our children about the dangers of wild animals yet there in front of their eyes is this ridiculer's advertisement.

Surely there is a more appropriate way to advertise chocolate?

Please look into this as I'm sure that I not the only person who feels this way.

THE ADVERTISER'S RESPONSE

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

Thank you for your letter. We appreciate your concern and like you, would not want to confuse children in any way about the potential dangers posed by wild animals.

The PODS 'Crocodile' commercial depicts a scenario that is meant to be completely outrageous. It features two crocodile workers going about their everyday job, which includes feeding the crocodiles. The male worker gets so distracted when he tries Pods that he doesn't notice that the crocodile has latched onto his arm. It is intended to create humour, which we feel is made obvious by the completely outrageous scenario in which the commercial plays out, and by the fact that the croc park worker can't feel the giant crocodile hanging off his arm. We used this bizarre scenario to communicate that PODS are different to your ordinary, everyday chocolate,

We, like you, believe it's important that children understand the dangers of wild animals, however the PODS commercial depicts an obscure scenario featuring a crocodile for humour purposes only. The ridiculousness of the situation ensures that it is very detached from reality and thus should not influence children into believing that crocodiles are not dangerous.

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 depicts unsafe interaction with a dangerous animal which is not appropriate for viewing by children.

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 features two employees at a crocodile park sharing Mars Pods and that whilst the man is being tempted to eat the product, he does not pay attention to his job and the crocodile the man is feeding locks on to his hand and is shown dangling from his arm.

The Board noted the complainant's concerns that the depiction of the crocodile being able to bite the man is contrary to what children are taught about interaction with wild animals. The Board noted the farcical nature of the advertisement and considered that most members of the community, including children, would recognise that the crocodile is not real and that the whole fantasy concept of feeding the crocodile and having the crocodile bite and then hang from the man's arm is not real and is intended to be humorous.

The Board noted that the two actors in the advertisement are wearing clothing consistent with

the clothing worn by animal handlers at animal parks and considered that the actions of the actors are intended to be representative of animal park employees and not general members of the public. The Board considered that it would be unlikely that children would watch the advertisement and try and copy the actions of the man by hand feeding a crocodile.

Based on the above the Board considered that the advertisement is not condoning or encouraging behaviour which is contrary to prevailing community standards on health and safety around wild animals.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

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