



Case Report

1	Case Number	0224/14
2	Advertiser	Beiersdorf Aust Ltd
3	Product	Toiletries
4	Type of Advertisement / media	
5	Date of Determination	09/07/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

A race car driver with irritated skin is distracted by his discomfort and spins out, losing the race. We then see a woman using a razor to shave a man's face whilst a male voiceover says, "Try the new Nivea Men Sensitive". A man is shown applying the product after shaving, followed by a screen shot of the product.

THE COMPLAINT

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

I have been trained to use an open blade razor and if anyone were to try to use one in this manner they would do severe damage or possibly kill the person they were trying to shave. This advert is dangerous in my opinion because it may encourage someone to try to emulate this situation without realising how dangerous these implements can be in untrained hands.

THE ADVERTISER'S RESPONSE

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

Complaint 0224/14 – NIVEA MEN Sensitive Moisturiser

Beiersdorf Australia Limited is the organisation behind the iconic NIVEA & NIVEA MEN brands, amongst others.

We refer to your correspondence of a complaint received by the ASB bearing reference 0224/14 relating to one of our TVCs. From the details provided, we have ascertained that the complainant is referring to the TVC for our NIVEA MEN Sensitive Moisturiser, identified by key number BDF831915AU and CAD reference WZD9FTCF.

We understand the ASB has identified from the complaint that the advertisement in question possibly breaches Section 2 of the Advertising Code of Ethics and more specifically Section 2.6 relating to Health and Safety Unsafe Behaviour. The complainant asserts that based on her training, if one tries to use the razor as shown, they would 'do severe damage or possibly kill the person they were trying to shave'.

In conjunction with our advertising agency, we have thoroughly considered and reviewed the complaint. We very much take our advertising obligations seriously and welcome the opportunity to furnish a response in relation to this complaint. Our considered response is that we do not, respectfully, agree with the complainant's view. Our contention is supported by the following reasons:

1. Established expertise: Beiersdorf is in the business of professional male grooming and shaving products. We work closely with R&D experts and professional barbers to maintain this expertise. Indeed, the original shoot had experts from Beiersdorf on set to guide the interaction. The scene in question was imply intended to depict a nice moment of intimacy and trust between the female and male talents. We have also sought the advice of professional barber in Sydney's Oxford Street who offer a straight razor shave service (Ziggy's Barber Salon) who helped us understand the technical aspects of using a straight edge razor.

2. Straight edge razors are built with safety in mind: Today's straight razors are not the knives of yesteryear. Modern straight razors only have a 1mm sharp edge showing. Consequently, they are no more dangerous than a common safety razor. The idea of doing serious damage or possibly killing someone is clearly an exaggeration.

3. The angle the razor is as recommended by professionals: Professional barbers have advised that the correct way to shave is by having the razor held at a 30° angle. This is both for effectiveness and safety. The TVC displays the straight razor held at this correct angle.

4. The woman is concentrating on the razor: When shaving, most cuts occur when someone is not watching what they are doing and the razor is dragged parallel to the direction of the razor's edge. This is true for both straight and safety razors. Our TVC shows the woman clearly looking at the razor, and therefore concentrating on the job at hand.

5. The idea of shaving the neck from behind is standard practice: A professional barber shaves their client from a number of different angles, including from behind. A professional barber would have his or her client in a barber's chair but this is obviously unlikely at an everyday home (as intended in the TVC), so the TVC shows a man standing in his bathroom.

6. Level of community concern is low: Using straight edge razors is a niche shaving trend, practiced by adults. The level of danger to the community is negligible.

For all the above reasons, we contend that the TVC does not breach Section 2 of the Advertiser Code of Ethics in general and Section 2.6 Health & Safety specifically with regard to depiction of unsafe behaviour.

We trust this response is satisfactory and thank you once again for the opportunity to respond.

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 concern that the advertisement shows a woman using an open blade razor to shave a man which is dangerous as it could encourage people to copy this action and cause severe damage or death.

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 is promoting Nivea Men Sensitive Moisturiser and that in one scene we see a woman using a blade razor to shave a man’s face.

The Board noted the complainant’s concern that the manner in which the woman is using the razor would cause severe damage or death. The Board noted the advertiser’s response that they sought advice on the safe use of a blade razor and that the angle the woman is holding the razor is consistent with the advice provided by a professional barber. The Board further noted that today’s blade razors are safer to use due to having only a 1mm sharp edge.

The Board acknowledged that using a blade on someone’s face requires care but considered that in this instance the woman is depicted as in control and aware of what she is doing and how she should do it. The Board noted that the shaving scene is very brief and considered that in the context of advertising a shaving product a scene showing an old-fashioned style of shaving is not inappropriate and does not encourage or condone the unsafe use of a blade razor.

The Board considered that the advertisement did not depict material contrary to prevailing community standards on the safe use of a blade razor.

The Board determined that the advertisement 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.

