



Case Report

1	Case Number	0254/15
2	Advertiser	Jim's Mowing SA
3	Product	House Goods Services
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	24/06/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

This cartoon advertisement features a Jim's Mowing van pulling up outside a house and numerous Jim's employees jump out of the trailer and start working in the garden before jumping back in the trailer and driving off again. The background song has the lyrics, "Jimbo, Jimbo, it's off to work we go".

THE COMPLAINT

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

The Advert starts with a number of characters getting out of the car and TRAILER. They do the maintenance and climb back into the car and TRAILER This advert needs to be pulled IMMEDIATELY as it contravenes the road traffic act in ALL States (people are FORBIDDEN to ride in trailers) this is a dangerous practice and people will copy this action. (If they see it on TV it must be OK ...monkey see,, monkey do) THIS IS A MATTER OF SAFETY, new migrants may also see this as the norm, and learner drivers do not know any different!

THE ADVERTISER'S RESPONSE

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

My response to your complaint of the current TVC running on Ch 7 Sunrise program in SA only is the following

Firstly The TVC in question has a G rating from CADS

It is a full cartoon TVC depicting Jims workers doing various gardening roles and is not real life footage

We have gone to great lengths to represent the TVC regarding safety, with goggles and gloves and safety Hi Vis clothing worn by all of the characters

Also the TVC in Q has been running on all TV channels for over 3 years and a similar version of this where the characters again alight from a trailer has been running for 10 years prior to that

Again with Cad approval, a G rating and no complaints

Personally, I see no problem whatsoever as it depicts characters leaving and alighting the trailer whilst it is stationary. As in all editing whether film or more particular TVC production there is not enough time to show everything that transpires IE getting into the car from the trailer as we only have 30 seconds to get our message across

I don't agree with the complainant. The ad in Q is fun, not misleading in any way and depicts a healthy outlook on important services to the community and Jims customers This TVC has a family appeal and is loved by children especially

Also whilst complaints need to be looked at please note that this TVC has been viewed by millions of viewers with no complaints. If one person is to be taken into account we would advise that you make sure that that person is in no way present or past connected to an opposition company of Jims Mowing

We believe the TVC to be a responsible representation of the company and services depicted in a humorous entertaining and fun loving family oriented presentation

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 people travelling in a trailer which is unsafe and contravenes road rules.

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

The Board then 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 this television advertisement features cartoon imagery of seven 'Jimbo' characters arriving at a property in the back of a trailer to do the gardening before departing again in the same manner.

The Board noted that the advertisement is a cartoon and considered that the overall tone is an illusion of the seven dwarves going to work (7 identical 'Jimbo' characters) in the fairy tale 'Snow White and the Seven Dwarves'. The Board noted the complainant's concern that the Jimbos are shown exiting a trailer and that it is unsafe and illegal to travel in this manner.

The Board noted the cartoon nature of the advertisement and considered that the depiction of seven identical characters performing gardening duties to the tune of "Jimbo, Jimbo, it's off to work we go" amounts to an overall depiction which is clearly fantastical and not intended to represent real people. The Board noted that road safety is an important and serious issue but considered in this instance the advertisement does not encourage or condone travelling in the back of a trailer.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on road safety.

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.