



Case Report

1	Case Number	0259/10
2	Advertiser	NRMA Ltd
3	Product	Vehicles
4	Type of Advertisement / media	TV
5	Date of Determination	22/06/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

Larger than life babies are shown crawling on driveways and roads, performing functions normally associated with a car: stopping at a zebra crossing to allow a pedestrian to cross, filling up at a garage (with milk instead of petrol), overtaking each other on a highway. The words "Who else would you trust to look after your baby?" appear on the screen followed by "Car servicing and repair centres. NRMA MotorServe."

THE COMPLAINT

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

I find this advertisement socially irresponsible and in breach of the 'Advertising Code for Advertising and Marketing Communications to Children' on the grounds that it promotes unsafe and dangerous behaviour/activity. I believe it is likely to cause distress to children because my 2yr old daughter who has now seen this add twice became very upset and observed that these babies may be in danger and should not be on the road. As parents we spend our lives informing our children about risks and hazards and seeking to promote safe behaviour. It astonishes me that a company like NRMA (with a vested interest in promoting road safety) would think that depicting tiny babies crawling along roads would not impact upon young viewers who would at best find this imagery confusing and at worst extremely distressing.

We spend all our lives telling young children not to walk on the road and to be careful when crossing. Young children are very impressionable of course seeing other toddlers crawling along a highway might encourage them to try the same. I was shocked to see this advertisement especially at the early time slot. To me it is very irresponsible of the N.R.M.A.

to screen such an advertisement I personally feel that this could endanger the lives of our young.

I am a very concerned Grandmother.

THE ADVERTISER'S RESPONSE

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

We are sorry to hear that the TVC has caused concern. We unreservedly refute the suggestion that the TVC encourages "unsafe and dangerous behaviour" or that it contravenes parts of section 2 of the Advertiser Code of Ethics. Indeed as detailed below, we have gone to great lengths to ensure that the desired interpretation of the TVC's message is clearly understood by the adult audience that we are targeting.

NRMA's new MotorServe TVC uses babies as a metaphor for cars, playing on the notion that many people refer to their cars affectionately as their "baby".

The advertisement makes the light-hearted connection that car owners want a 'trusted' place to take their car (or 'baby') to 'keep them healthy'. To ensure the metaphor is even clearer, we have italicised the word baby in the catch line and, in almost every scene, there is a normal sized adult person to emphasis the scale of the giant baby.

The babies used, have been graphically exaggerated in size and were safely filmed in a film studio under strict safety conditions, using green screen and backdrop technology. The TVC has been made in accordance with the rules governing the use of babies in advertisements.

The storyboard was sent to the governmental department "Kids Guardian"

(<http://www.kidsguardian.nsw.gov.au/>) and the resulting rules and regulations of shooting children of this age were followed to the letter. The final advert was given CAD approval and a "G" rating.

To answer the complainant's allegations directly, we do not believe that the TVC promotes "unsafe and dangerous behaviour" in children. There are no vehicles in the TVC as they have all been replaced with larger than life, giant babies in an unreal world. Nor do we believe that watching this TVC encourages babies or, for that matter children, to play on roads. NRMA is proud of the active role that we play in promoting road safety in our community and particularly among children.

With regard to the TVC allegedly contravening section 2 of the Advertiser Code of Ethics, the audience for these advertisements are adults and this is reflected in the media placement schedule that focuses on news, current affairs and high rating mature programmes such as Border Security and Masterchef. As an example, please see our attached TV spot list that highlights all programmes selected in the past week. The media placement does not target children in any way.

Further, we also contend that showing an outlandishly large baby's milk bottle in the TVC, in context with the baby/car metaphor, does not contravene the AANA Food and Beverages Marketing and Communications Code (section 2.8). We are not promoting any type of food or beverage product in the TVC but purely using the unbranded milk bottle as a visual prop. Please accept our apologies if the TVC has inadvertently caused offence or concern. This has never been our intention. Indeed focus group testing of the concept and anecdotal feedback received since the advertisement went to air suggests that many people have enjoyed watching the TVC.

I trust that this response and the enclosed information will assist you in the consideration of the complaint received. Of course we would be happy to provide further elaboration or detail on any aspect of the campaign should you require.

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 promotes unsafe and dangerous behaviour.

The Board viewed the advertisement and noted the advertiser’s response that the advertisement was given CAD approval and a “G” rating permitting the advertisement to be broadcast at any time except during Preschool and Children’s programs.

The Board considered whether the advertisement was in breach of 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 promotes a “car servicing and repair centres” product and that the advertisement displays giant babies crawling on roadways with normal sized adults depicted in most scenes to emphasise the size of the babies. The Board further noted the use of babies as a metaphor for cars, that the advertisement was filmed with strict safety conditions in place and the use of special effects to emphasise the exaggerated size of the babies.

The Board agreed that whilst it is a very dangerous act for children to play on the road, the advertisement is an unreal fantasy understood by the adult target audience and further considered it very unlikely that this advertisement would encourage unsafe behaviour by children.

The Board determined that, in this instance, the advertisement did not depict material contrary to current prevailing community standards on health and safety and 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.