



Case Report

1	Case Number	0276/13
2	Advertiser	Stihl Pty Ltd
3	Product	Hardware/Machinery
4	Type of Advertisement / media	Print
5	Date of Determination	14/08/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

The winter catalogue for Stihl features a boy in a tree house wearing a safety helmet and goggles and holding a realistic looking toy chainsaw.

THE COMPLAINT

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

I feel the advertisement implies it would be safe for a child to use this dangerous piece of equipment.

THE ADVERTISER'S RESPONSE

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

As a leading manufacturer for powered outdoor tools, we've put together for our consumers with a special passion for STIHL, a range of merchandise which includes safe, non-hazardous toys for all children to enjoy.

Our range of children's merchandise (toy chain saw, toy brushcutter, children's toy work gear [gloves, helmet, and glasses]) assists in developing their passion for the outdoors.

STIHL Australia does not entertain the idea of a young boy using a professional chain saw, rather a child experiencing the outdoors with their family.

The front cover of our winter homeowner catalogue depicts a child playing in a tree house with a STIHL toy and personal protective apparel.

The image does not express the child built the tree house with his toy chain saw, instead showing that he is enjoying the outdoors by playing in his tree house with his toys.

Once again we hope this letter clears all misconceptions.

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 an image implying it would be safe for a child to use a chainsaw.

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 a young boy in a cubby house with safety goggles, gloves and helmet on and holding a toy chainsaw. There is an image of a ‘real’ chainsaw at the bottom right of the picture and the text reads “Homeowner. Make it easier this winter with Stihl outdoor power tools.”

The Board noted the complainant’s concerns that the advertisement suggests that it is safe for children to use a chainsaw.

A minority of the Board considered that the chainsaw that the boy is holding is not clearly identifiable as a toy and that this image could potentially encourage children to copy the behaviour and attempt to use a chainsaw belonging to an adult in the household.

The majority of the Board considered however, that the catalogue is intended to appeal to an adult audience who would be likely to purchase these types of home power tools. The Board noted that there are many home hardware stores that incorporate a toy section for children that copy the genuine product and that many adults who look to purchase power tools would be aware of the toy version available for children.

The Board noted that the image of the boy in the tree house does not suggest that he built the tree house. The Board considered that the advertisement was showing a young boy having fun outside and playing with toys that resemble genuine power tools that he may have seen. The Board noted that the boy was wearing the essential personal protective equipment that is recommended to be worn when using a real chainsaw.

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 relating to the use of realistic toys that resemble actual machinery or equipment and 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.