



**Ad Standards** Community Panel  
PO Box 5110, Braddon ACT 2612  
P (02) 6173 1500 | F (02) 6262 9833

**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0285-19</b>
<b>2. Advertiser :</b>	<b>Global Shop Direct</b>
<b>3. Product :</b>	<b>House Goods Services</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Pay</b>
<b>5. Date of Determination</b>	<b>11-Sep-2019</b>
<b>6. DETERMINATION :</b>	<b>Upheld – Modified or Discontinued</b>

### ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

This Pay TV advertisement features black and white footage of a woman climbing a ladder outside her house with a large bucket and cleaning equipment. She starts cleaning a window before knocking the bucket off and squealing.

The voice over states, "cleaning the outside of your windows is a real chore."

The woman is seen struggling to walk with a large metal ladder then placing the ladder up against a wall to reach a second floor window, and looking concerned as she climbs it.

The voice over continues, "and who wants to climb a dangerous ladder just to get to the second floor. Not anymore".

Colour footage of a man with the full crystal product is then shown. The man introduces himself as Jon Florell the Fuller Brush Man. And speaks about the benefits of the product. And demonstrates how it is used to clean windows on a house. Footage of other people using the product successfully is shown, and footage of people not using the product is shown as a contrast.

A voice over then details how to order the product.



## **THE COMPLAINT**

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

*The product safety information says: Wear protective gloves, eyewear and mask while using Full Crystal. The product demonstration in the TVC shows the actors adhering to none of the product safety information. This is misleading on how the product is to be used and the effort required to use.*

## **THE ADVERTISER'S RESPONSE**

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

*Global Shop Direct is committed to ensuring customers are fully aware of safe use of all of our products.*

*Specifically for this case we are aware of the recommended safety instructions to be followed when using this product (Full Crystal) and have taken what we believe are reasonable steps to ensure instructions are not missed or skipped by the consumer due to the way the product is demonstrated in the ad.*

*Specifically for Full Crystal, we have communicated safe usage messaging clearly on a number of marketing touch points to help re-enforce the need to follow the product instructions. This includes amendments to the TV commercial noted in this complaint.*

*The actions we have taken to make this clear to the consumer are:*

- 1. Added clear safety usage disclaimers onto the ad that are easy to read, prominent and featured on the TVC for a significant period of time for the consumer to read comfortably.*
- 2. The website features a SAFETY information tab, which we reiterate the same safety messaging.*

*POST PURCHASE: Please note: The product comes with clear instructions and with warnings and safety messages which the consumer should follow. We have attached this as part of our submission so the reviewers can see the level of detail entailed in these instructions.*

### **SAFETY DISCLAIMERS:**

*The disclaimer featured on the TVC states:*

*'Always follow instructions and safety directions – Wear protective gloves, eyewear and mask while using Full Crystal'.*

*Appearances throughout the TVC:*



*This first appears at 00.16 / 00.22 secs as the host first uses the full crystal product (6 seconds in total)*

*This disclaimer appears again at 00.26-55 seconds, which runs across a number of scenes and product demonstrations.  
In total the disclaimer appears for 30 seconds of the ad.*

*The disclaimer featured on the website SAFETY TAB states:  
'Always follow instructions and safety directions - Wear protective gloves, eyewear and mask while using Full Crystal. Always read your instruction manual before use.'*

*Website product page URL: <https://www.globalshop.com.au/products/full-crystal>*

*Further to the above, we believe that the very nature of the complaint proves that our safety message is communicated effectively across the above mentioned touch points, as the consumer couldn't raise the concern without this knowledge.*

*Link to download the TVC mentioned in this complaint for reference and review:  
[https://www.dropbox.com/s/yplts46pcnrv3sz/Full%20Crystal%20Offer%20A2\\_Draft04.mp4?dl=0](https://www.dropbox.com/s/yplts46pcnrv3sz/Full%20Crystal%20Offer%20A2_Draft04.mp4?dl=0)*

*We hope this information has been helpful and please do not hesitate to contact us if you need any further information.*

## **THE DETERMINATION**

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement depicts people not using appropriate safety protection.

The Panel viewed the advertisement and noted the advertiser's response.

The Panel noted that this Pay TV advertisement features a man who introduces himself as Jon Florell the Fuller Brush Man. He speaks about the benefits of the product and demonstrates how it is used to clean windows on a house. Footage of other people using the product successfully is shown, and footage of people not using the product is shown as a contrast.

The Panel considered whether the advertisement breached 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 Panel noted the complainant's concern that the advertisement depicts people using the product without the recommended protective gloves, eyewear and masks.



The Panel noted the advertiser's response that the advertisement clearly communicates safe usage messaging through the use of disclaimers on the ad, safety information is available on the website and the product comes with clear instructions and safety messaging.

The Panel noted there is a disclaimer, "Always follow instructions and safety directions – Wear protective gloves, eyewear and mask while using Full Crystal". The Panel noted the disclaimer first appears when the product is first demonstrated by Jon Florell. The Panel noted that the disclaimer appears on screen for a total of 30 seconds of the two-minute-long advertisement.

The Panel considered that not all members of the community would read safety disclaimers or instructions. The Panel noted the advertisement provides instructions for use as part of the demonstration, with Jon Florell stating, "just add the cleaning crystals, attach it to any garden hose and away you go." The Panel noted that the use of the product was demonstrated by showing someone pouring crystals into the container, and attaching a garden hose before showing a woman using the product. The Panel considered that other than the disclaimer, which was quite small on the screen, there was no visual or audible indication in the advertisement that safety gear should be worn when using the product. The Panel considered that a reasonable person would take an overall impression from the advertisement that the product was safe to use without wearing personal protective equipment. The Panel considered it was likely that people would use the product as demonstrated in the advertisement.

The Panel noted that none of the people shown using the product in the advertisement were wearing the recommended gloves, eyewear and mask. The Panel considered that the people in the advertisement were using the product in a manner which could be hazardous considering their lack of safety protection.

The Panel noted that it had previously considered a similar issue in case 0256-14 relating to safety recommendations when using a product, in which:

*"The Board noted that the advertisement did not show the couple installing the product dressed in the manner stated above but that they did have gloves on and were working together.*

*The Board noted the advertiser provided lengthy product specifications outlining the details of the product and technical data and evidence of the product's safety... The Board considered that as the website and packaging provided strong suggestions for how to suitably dress when installing the product, these recommendations are in line with what the community would consider appropriate and reasonable protective equipment for home insulation installation... Based on the above the majority of the Board considered that the advertisement depicted material contrary to prevailing community standards on health and safety in the workplace and determined that it did breach Section 2.6 of the Code."*



Consistent with the determination in case 0256-14, the Panel considered that the advertisement's depiction of numerous people using this product without the recommended protective gear was a depiction which most members of the community would consider to be unsafe.

In the Panel's view the advertisement does depict material contrary to Prevailing Community Standards on health and safety and that it did breach Section 2.6 of the Code.

Finding that the advertisement did breach Section 2.6 of the Code, the Panel upheld the complaint.

#### **THE ADVERTISER'S RESPONSE TO DETERMINATION**

I can confirm that we have taken steps towards modifying the advertisement as requested. We have identified the areas in the current TV commercials and are having these reshot so as not to show people using the product without the identified safety wear.