



## Case Report

|   |                               |                       |
|---|-------------------------------|-----------------------|
| 1 | Case Number                   | 0313/11               |
| 2 | Advertiser                    | Jim's Mowing          |
| 3 | Product                       | Professional services |
| 4 | Type of Advertisement / media | TV                    |
| 5 | Date of Determination         | 24/08/2011            |
| 6 | DETERMINATION                 | Dismissed             |

### ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

### DESCRIPTION OF THE ADVERTISEMENT

A male voiceover describes the services available through Jim's Mowing and we see a Jim's Mowing employee performing the tasks described. At the end of the advert we see a cartoon employee walking away from a Jim's Mowing van whilst tossing a pair of cartoon snips in the air and then catching them.

### THE COMPLAINT

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

*The ad shows a Jim's Mowing man tossing a pair of open snips into the air and catching them. While the ad is an animated one it is frightening to see someone throw an open pair of snips into the air and catch them. There is no need for this in the ad. I certainly would not engage any firm that I thought encouraged their operators to behave in such a dangerous manner.*

### THE ADVERTISER'S RESPONSE

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

*The TVC is animated and not real footage of the objectionable action  
The TVC has been running in all states of Australia since early 2007 with no complaint  
It is wholesome good natured and loved by all ages  
If we had to defend this in the local media there would be a large support base of the public  
who would support the ongoing publication of the TVC in question  
We have had many positive public comments over the years for this TVC which is a key  
reason that it still runs today in its original format.  
Dellow Marketing has been operating as an ad agency for over 12 years. Prior to this 20  
years in the Press Radio and TV industry. We do the creative concept, production and  
media buying for all of our accounts. This is the first complaint of any type we have ever had  
re our advertising.  
I personally see this as a trivial and small minded complaint when taking into account the  
positive reactions we have enjoyed for many years.  
We hope you can see the merit in keeping this entertaining TVC on air  
And in conclusion if this is to be taken any further it should be with Jims Group Australia.  
Not Jims Mowing South Australia as it is the National Group who own the rights to this TVC  
as versions of this is played in all Aust. states*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) then considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted the complainants concern that the advertisement depicts an unsafe practice of throwing garden secateurs.

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

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 that the advertisement features a cartoon version of ‘Jim’ who tosses a pair of garden secateurs up and catches them.

The Board noted that throughout most of the advertisement we see real “Jims” performing various gardening tasks in a safe and controlled manner, and considered that the cartoon depiction is unlikely to encourage viewers to copy the action of throwing and catching real gardening equipment.

Based on the above, the Board determined that the advertisement did not depict material contrary to 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.

