



Case Report

1	Case Number	0329/10
2	Advertiser	General Mills Australia Pty Ltd
3	Product	Food and Beverages
4	Type of Advertisement / media	TV
5	Date of Determination	11/08/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

A wildlife expert driving out into the country to release something from nature back into nature. As he releases what viewers believe to be a small creature from his cupped hands, he then launches a muesli bar into the air. It falls to the earth with a thud and the voice over ""Nature Valley. It won't fly like a bird, but it does taste delicious.""

THE COMPLAINT

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

The ad talks about bringing things back to nature and implies that they are an environmentally sustainable company. Throwing the muesli bar into a field I believed that the product would claim that the packaging was biodegradable.. but it isn't and from what I can tell doesn't have any credentials on being sustainable or green. Really disappointing for me as I was hoping that finally biodegradable packaging would come to Australia. Throwing the packaging into the field makes it look like they're littering.

THE ADVERTISER'S RESPONSE

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

Environmentally Sustainable

At no point does the commercial imply directly or indirectly that the brand is environmentally sustainable or packaging biodegradable. In fact, it clearly states that all it professes to be is a delicious snack and that's all, as surmised in the end line "Nature Valley. A delicious snack and that's about it".

The only connection to nature derives from the actual ingredients within the product itself that come from nature (i.e. oats and honey).

The ad is about not pretending to be anything that you're not. It goes to great lengths to communicate that all it offers is a delicious snack. It utilizes hyperbole to demonstrate this – whilst the product is from nature, it won't do anything crazy like fly like a bird from nature . . .it just tastes good.

Littering

The hero of the ad is a avid wildlife expert. He is passionate about nature and things from nature. Whilst he throws the bar into the air to see if it can fly viewers could sensibly assume that John, who is passionate about nature and the bar, would in fact pick up the bar from the ground.

The intent of the commercial is to motivate consumers to purchase the Nature Valley product on the premise that it simply tastes great. It reasonably assumes that consumers would not attempt to replicate the hero's action of throwing a muesli bar into the air in an attempt to release it back to the wild. The creative idea uses hyperbole to create a ridiculous scenario to demonstrate that all the bar delivers is great taste. It is not a situation consumers would be likely to replicate – everyone knows a muesli bar cannot fly.

The bar is never seen outside of its wrapper so the ad doesn't imply that litter is left behind. For the duration of the country setting, the bar is treated as a bird – something to be treasured from nature.

Also, as our hero never walks away from our product on the ground, he is not littering. He merely looks on perplexed as he realises the bar didn't fly as he expected it would.

General Mills supports and encourages the responsible disposal of waste. The packaging of the actual Nature Valley bar bears the official symbol thus reinforcing their commitment to responsible disposal of trash.

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 concern that the advertisement depicted an act of littering, and that the product would claim that the packaging was biodegradable.

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

The Board considered whether the advertisement complied with section 2.6 of the Code which requires that advertisements not depict material that is contrary to prevailing community standards on health and safety.

The Board noted that the man in the advertisement is shown throwing a Nature Valley bar into the air, and it lands on the ground in front of him. The Board considered the advertiser's response that this scene was meant to mimic the setting free of a bird. The Board noted that although the man is not seen to pick the Nature Valley bar up off the ground afterwards, there is no suggestion that the bar is left there once the man realizes it cannot fly.

The Board noted the complainant's concern that the advertiser doesn't have any credentials on being sustainable or green and therefore that the packaging is not biodegradable. The Board considered that the advertisement does not make any claims or suggestions that the product or packaging is environmentally friendly.

Based on these findings the Board considered that the advertisement did not depict material that is contrary to prevailing community standards on health and safety and does not breach Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.