



## Case Report

1	Case Number	0352/15
2	Advertiser	Global Shop Direct
3	Product	House Goods Services
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	09/09/2015
6	DETERMINATION	Dismissed

### ISSUES RAISED

- 2.6 - Health and Safety Unsafe behaviour
- 2.6 - Health and Safety Within prevailing Community Standards

### DESCRIPTION OF THE ADVERTISEMENT

This infomercial-style advertisement features a man called Vince demonstrating the InVinceable product on various surfaces and fabrics. In one scene we see Vince cover the shirt he is wearing with various liquids before spraying InVinceable on it, and in another scene he turns the bottle upside down and sprays it in front of his face to demonstrate how the product can be used from any angle.

### THE COMPLAINT

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

*The advertisements are dangerous. The TV ad shows a man putting 'stains' on his shirt, then spraying the shirt while wearing it. But the fine print at the bottom of the screen warns "Do not spray garments while wearing them!" Then it shows him spraying Invincible in the air directly in front of his face (You will see that shot on the web page.) But the fine print reads. "Read product safety information. Do not spray near eyes or face. Wear a respirator!" Plainly this is in breach of safety standards as most would not read the fine print, but would use the vision as an indication of product safety.*

### THE ADVERTISER'S RESPONSE

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

*Thanks for sending this through. The section referred to is a dramatization, the expectation is that people don't spray cleaning products on themselves. Should someone do this with InVinceable at worst if the user has sensitive skin there will be mild irritation with no lasting impact. The following supers are shown in the ad specifically to inform viewers of recommended standard use and to address people with sensitive skin:*

- *Individual results may vary and read all instructions before use*
- *Do not treat garments while wearing*
- *Does not use close to face*
- *Eye and mask respirator and gloves are recommended*

*I hope this information addresses the concern raised, let me know if you need additional information.*

## **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 is dangerous in its depiction of a man spraying InVinceable at his face, which is contrary to the recommended safe use of the product.

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 that this television advertisement features a man demonstrating how InVinceable can remove a variety of stains from a variety of surfaces.

The Board noted that in one scene in the advertisement the presenter dabs his shirt with beetroot, iodine and spaghetti sauce in order to create stains before spraying his shirt and in another scene the presenter demonstrates the flexibility of the product’s nozzle by holding the bottle upside down in front of him and spraying. The Board noted that in these scenes on-screen disclaimers are displayed: “Do not treat garments while wearing” and “Does [sic] not use close to face. Eye and mask respirator and gloves are recommended”.

The Board noted the advertiser's response that the advertisement depicts dramatized situations in order to promote the product and that people would not normally spray the bottle on their clothing whilst it is still being worn. The Board acknowledged that the product's safety recommendation suggests wearing a respirator and not spraying the product near your face but considered that the focus on the advertisement is the product's ability to remove most stains, and to be able to be used at all angles, and that whilst spraying the product near the face would not be recommended this depiction is accompanied by a warning not to do the same thing and in the Board's view the advertisement does not condone or encourage this behaviour. The Board considered that most reasonable members of the community would not find the advertisement to depict, encourage or condone the use of a cleaning product in a manner which is contrary to Prevailing Community Standards on health and safety.

The Board determined that the advertisement 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.