



Ad Standards Community Panel
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AdStandards.com.au

Ad Standards Limited
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Case Report

1. Case Number :	0384-19
2. Advertiser :	Global Shop Direct
3. Product :	Hardware/Machinery
4. Type of Advertisement/Media :	TV - Pay
5. Date of Determination	27-Nov-2019
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This Pay TV advertisement features scenes depicting:

1. The poor experience of using conventional edge trimmers (petrol or electrical)
2. Introduces the Bionic Trimmer. A lightweight rechargeable, convenient alternative to the above.
3. The ad shows people using the Bionic Trimmer, trimming edges around the garden, charging the trimmer
4. The ad shows animation to highlight the battery powered innovative design
5. The ad shows features of the product such as the ergonomic grip (someone holding the handle), the safety guard (someone moving it into position whilst the trimmer is off)
6. The ad then compares the difficulty of old fashioned trimmers (by showing a someone bother by a heavy trimmer) with someone using the bionic trimmer (showing it being light weight and easy to use)
7. The ad notes the negative experience of petrol trimmers / smelly for example
8. The ad shows a price comparison of traditional trimmers
9. Then the ad shows the price and offer of the Bionic Trimmer and a call to action to buy now, on phone or online.

THE COMPLAINT

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



*Product is shown and operated without PPE.
For example, gloves, face shield or goggles
Is in breach of AANA standard 2.6 health and safety.*

THE ADVERTISER'S RESPONSE

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

Please note that supplied with the product is a clear and detailed instruction manual. The product marking/label/warning symbols are well described in the instruction manual and should like all products be read and followed. The packaging also features warning / safety wear guidance.

The manual and document depicting the packaging is included with this response.

Regarding vision in the TVC. The video is promoting advantages over the conventional rather than how to use the product.

In relation to what is included in the ad:

- > Nobody was bare footed*
- > One person appears to be wearing eye protection (00.20) into ad (this is hard to see). However it is not featured throughout the ad.*

Please note we take the safety and wellbeing of our customers very seriously, and we look forward to your findings on this matter and will work with you to address issues raised in your final report.

THE DETERMINATION

The Ad Standards Community Panel (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 product is shown being operated without PPE.

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

The Panel considered whether the advertisement complied with 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 advertiser's response that the packaging and instructions for the product include warnings about wearing safety gear when using the product, including eye and ear protection.

The Panel noted that it had considered a similar issue for the same advertiser in case 0285-19, in which:

"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 pour crystals into the container, and attach a garden hose before showing a woman using the product. The Panel considered that other than the small disclaimer there was no visual or audible indication in the advertisement that safety gear should be worn when using the product. The Panel noted that the overall impression of the advertisement was that the product was safe to use without wearing safety equipment, and that people were likely to imitate the use of the product as seen 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 considered that the depiction of people using a product without 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."

Unlike the determination in case 0285-19, the Panel considered that the current advertisement does not provide clear step-by-step instructions for using the product and does not clearly and frequently depict people using the product without safety equipment.

The Panel considered that most of the shots of the product in use were only of the product itself and did not show the face or head of the people using the product. The Panel considered the woman shown using the product at 00:17 to 00:19, 01:20 to 01:21 and 01:50 to 01:51 appeared to be wearing protective eyewear, however it was not clear if she was wearing earplugs.

The Panel considered that the woman shown using the product at 01:06 to 01:07 and 01:46 to 01:47 did not appear to be wearing the safety equipment.

However, the Panel considered that unlike case 0285-19 the depiction of the product was not shown in an instructional manner and the appearance of people using the product was brief, lasting less than 10 seconds in the entire 2 minute advertisement, and the very fleeting images of the product being used without PPE would not undermine the importance of safety messaging on the product packaging.



The Panel considered that the advertisement did not give the impression that anyone could just pick up and use the product, and that anyone purchasing the product would need to look at the packaging and instructions to know how to use the product.

The Panel considered that the overall impression of the advertisement was not one which suggested the product was safe to use without safety gear, or which would undermine safety messaging on the product packaging.

The Panel considered that the advertisement did not depict material contrary to Prevailing Community Standards on water safety and did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaints.