



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0488/10
2	Advertiser	Headstart International Pty Ltd
3	Product	Toys & Games
4	Type of Advertisement / media	TV
5	Date of Determination	08/12/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

We see a real dog, wearing goggles, addressing some Rescue Pets puppies and telling them that they have to learn to swim.

We then see these toy dogs in a swimming pool with a couple of young girls.

A female voiceover says, "Always swim with an adult present".

THE COMPLAINT

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

What are these people thinking? The ad shows the Rescue Pet falling into the pool, which for a young child would be lots of fun. How does the child get the Rescue Pet out of the pool - is it expected to climb the stairs in order to be allowed to fall in again and again?

I believe the ad infers incorrectly that this toy is a life saving device. There is no obvious warning contained within the ad that a non-swimmer could potentially drown and that this toy will do nothing to prevent that tragedy.

Really guys take a look at this one. This toy is dangerous and stupid.

THE ADVERTISER'S RESPONSE

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

*Please note that the voice over says "Always swim with an adult present".
Clearly the children are already in the water swimming when the puppies land in the pool.
Clearly also, the children are of swimming age.*

THE DETERMINATION

The Advertising Standards Board (the Board) considered whether this advertisement breached the AANA Advertising to Children Code (the Children's code).

The Board determined whether the advertisement is an "Advertisement to Children", which is defined in the Children's Code as meaning: "Advertisements which, having regard to the theme, visuals and language used, are directed primarily to Children and are for Product".

"Children" are defined in the Children's Code as being 14 years old or younger. The Board had regard to the product, music, theme and visuals used, and considered that the advertisement was directed primarily towards children and was therefore within the scope of the Children's Code.

Having concluded that the material is an "advertisement to Children" as defined by the Children's Code, the Board then had to determine whether the advertisement is for a "Product". "Product" is defined in the Children's Code as meaning: "goods, services and facilities which are targeted toward and have principal appeal to Children".

The Board determined that the Rescue Pet Puppy is a "good" targeted toward and having principal appeal to Children and accordingly is a Product.

The Board considered whether the advertisement depicted material that contravened section 2.5(a) of the Children's Code, specifically: 'must not portray images or events which depict unsafe uses of a Product or unsafe situations which may encourage Children to engage in dangerous activities or create an unrealistic impression in the minds of Children or their parents or carers about safety.'

The Board considered that the depictions of the children swimming in a pool with the Rescue Pet Puppy were images of the appropriate use of the product particularly as the children were all able to swim unassisted. The Board noted that the name of the product 'Rescue Pet Puppy' could be slightly misleading as it is not a toy that is able to assist rescuing a child in trouble in the water. However the Board considered that the advertisement clearly depicted the product being played with in the intended manner by children who can swim and that there was no suggestion in the advertisement that the toy is a life saving device. The Board also noted that

the advertisement makes a clear statement about swimming only with an adult present. The Board considered that these images would not encourage children to engage in dangerous activities or to use the toy in an unsafe manner and, in the context of the depictions in the advertisement, does not create an unrealistic impression about safety.

The Board determined that the advertisement did not breach section 2.5(a) of the Children's Code nor any of other provision of the Children's Code.

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