



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0581/17
2	Advertiser	Puratap Pty Ltd
3	Product	Food and Beverages
4	Type of Advertisement / media	Radio
5	Date of Determination	24/01/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

Food and Beverage Code 2.1 (a) - Misleading / deceptive

DESCRIPTION OF THE ADVERTISEMENT

The radio advertisement features one man asking another man to taste some tap water, and then asked him if he could taste the pesticides in it. A voice over then gives details of the benefits of the water filter product.

THE COMPLAINT

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

The conversation advises that tap water contains tiny amounts of pesticides.

The person is then asked "are they harmful"

Although the response doesn't say yes, the man replies "what are they designed to do?"

This gives the impression that tap water is poisoning people. It is fear mongering and deceitful

THE ADVERTISER'S RESPONSE





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

Puratap is a South Australian company supplying chemical free drinking water to nearly 300,000 South Australian homes. We are currently regarded as one of the largest under sink water purification company in Australia. Over the past decade, radio has become our main medium for advertising, with very few complaints. The advertisement to which this complaint was raised played only for a short time on one station, Nova 91.9. The majority of the audience is 18+ and has not been rescheduled to return to air.

The ad in question is discussing a number of chemicals that come under the category of pesticides. As quoted by Collins, Australian School Dictionary Second Addition, 2002 "Pesticides are chemicals sprayed onto plants to kill insects and grubs." It is public knowledge that run off from agricultural sources containing chemicals such as pesticides could make their way into ground water or surface water that feed drinking water supplies. Section 2.1 of the AANA Advertiser Code of Ethics specifies that advertising for Food or Beverage Products shall be truthful and honest, shall not be or be designed to be misleading or deceptive. The complaint however, is not specifically questioning the existence and implications of pesticides being present in tap water, rather, that Puratap is implying "tap water is poisoning people." Therefore, please refer to complaint 0491/10. The same concerns have been raised and subsequently addressed scientifically to cover all aspects of the advertising codes using independent scientific testing to prove that should pesticides or other chemicals be present in tap water, a Puratap water filter has been independently, scientifically proven to remove 99.9% of them from our drinking water.

At Puratap, our belief is in education and information. We therefore write our radio advertisements in a manner intended to empower the consumer by allowing them to purchase, or not purchase, our product with full confidence.

We appreciate the feedback of the complainant, as we too take this matter seriously. Had the complainant contacted Puratap directly, we would have gladly provided the independent, scientific evidence needed to prove that Puratap is safer than domestic household water.

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 could make people think that tap water is poisonous.



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

The Board noted that the product is tapware with integrated water filtration capacity and therefore does not fall under the provisions of the AANA Food and Beverages Advertising and Marketing Communications Code.

The Board noted that as the product is not a food or beverage product, the Board is unable to consider the truth or accuracy of the comments made in the advertisement and could not therefore consider whether the information about pesticides is accurate or not. The Board considered however that consumers are aware that water quality is monitored by governments.

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 the radio advertisement featured one man asking another man to taste some tap water, and then asked him if he could taste the pesticides in it. A voice over then gives details of the product.

The Board noted the complainant's concerns that the advertisement could make people think that tap water is poisonous.

The Board noted that the advertisement suggests that tap water could contain pesticides and implied that purified water is safer to drink. The Board noted its previous consideration in case 0491/10 in relation to a Puratap advertisement and noted that in that case:

'The Board agreed that the advertisement does play on the fears of parents in its advertising message through the use of statements such as: "Know you care about your kids and want them to be healthy? "Good water is first step to good health?, ... The Board considered that the advertiser is free to employ the message it wishes in designing its campaign provided that the overall message complies with the Code.

The Board considered that suggesting that one product is better for your children than another does not, in this case, amount to the advertisement being contrary to prevailing community standards on health and safety.

The Board then considered that the advertisement could be interpreted as suggesting that tap water is dangerous to drink and considered that the greatest risk from the advertisement would be that consumers might decide to drink non-water products in order to avoid drinking water containing impurities. However the Board considered that most people in the community would be aware that the quality of tap water is



regulated and local governments would advise if tap water is not safe to drink. The Board considered that the overall message of the advertisement is to drink water and that the advertisement does not suggest that tap water is unsafe to an extent that would amount to a depiction of “material contrary to Prevailing Community Standards on health and safety”.

Similarly in the current advertisement the Board considered that this could be considered scaremongering but considered that the overall message is still to drink water.

The Board considered that consumers expect a level of puffery in advertising and in the Board’s view the advertisement was not likely to lead to people believing tap water is poisonous or to lead to a reduction in consumption of water.

Overall the majority of the Board determined that the advertisement did not depict material which would be in breach of Section 2.6 of the Code.

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

