



CASE REPORT

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| 1. Complaint reference number | 105/09 |
| 2. Advertiser | Unicharm Australasia |
| 3. Product | Babylove Nappies |
| 4. Type of advertisement | Print |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Wednesday, 8 April 2009 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

This image in a Coles promotional magazine that goes to subscribers depicts a living room scene where all objects in the room are labeled as potential uses or hazards for a child. Lounge is labeled as “Jumping Castle”, remote control labeled as “Hammer”, cat is labeled as “Punching Bag”. A small blonde child is shown climbing up a shelf against the wall. The articles (books etc) on the shelving unit are labeled “Dominos” and the child, precariously positioned, is labeled “Wrecking Ball”.

THE COMPLAINT

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

I am very upset about an ad which appeared in the Autumn 2009 issue of Coles Baby Magazine. The ad is for Baby Love nappies and shows a young child climbing up a set of shelves. This is a very irresponsible way to advertise. This behavior is one to be avoided at all costs with a young child as the shelves can easily fall on top of the child. I have 3 young children, one of which is a 2 yr old boy. I made sure I did not let him see this ad while I was reading the magazine as he may copy this behavior. My five year old daughter has just had the ‘life education’ van at school and brought a workbook home today which showed how unsafe climbing on things in the house can be. We are trying to educate our children to avoid unsafe practices such as this. I am disappointed in Baby Love and Coles Baby Magazine for promoting this behavior.

I wish to put a strong complaint in about the advert for Bablove nappies on page 19 of the current Coles Baby magazine (Autumn 2009). I think it is unacceptable that the cat in the picture is labelled as "Punching Bag" and is totally irresponsible. Our mother's Group (who have met for a year and a half and continue to do so every week) was appalled by this advert. Animal cruelty should not be promoted in any size, shape or form.

THE ADVERTISER’S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

Thank you for passing on the concerns raised relating to the BabyLove print advertisement.

The execution is intended to depict a kids view of the world. Kids by their very nature are inquisitive and full of imagination. Mum’s know that kids have a completely different view of their environment to that of an adult. This advertising idea is intended to dramatise the difference between what a kid sees versus what a parent sees. The tone of the advertising is intended to be humorous.

The advertising appears in media specifically targeted at parents. It is not intended for small children.

In no way does the advertising encourage parents to allow their children to climb on furniture. It is simply reflecting the reality that kids see their world differently to that of their parents. Furniture can be seen as climbing equipment, CD's can be viewed by children as fizbees etc. In creating this print execution, the child featured attempting to climb the bookcase was under parental supervision at all times. At no stage was the child in danger during the shooting of this print execution.

BabyLove does not condone cruelty to animals. We are happy to review this reference for future executions.

I trust that this satisfies the concerns raised.

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 complainants' concerns that the advertisement was irresponsible in its depiction of a young child climbing a set of shelves and by labelling a cat in the picture as "punching bag". The Board considered the application of Section 2.2 of the Code, relating to violence (cruelty to animals) and Section 2.6, relating to prevailing community standards on health and safety.

The Board noted that the magazine in which the advertisement appeared was one aimed at parents and unlikely to be attractive to children and, as such, considered it was unlikely to be accessed by children without parental supervision.

In regard to the label "punching bag" used in the advertisement, the Board considered the positioning of the label made it unclear whether the label was aimed at the cat or the lounge and that the advertisement did not depict any harm being done to the cat. In any case, the Board agreed that the label was part of the depiction of a child's perception of the world, consistent with the other labels in the advertisement and that the majority of people would recognise it as a tongue-in-cheek reference that was not intended to condone or encourage cruelty to animals by children or anyone else. The Board therefore concluded that the depiction was not a depiction of cruelty to animals in contravention of Section 2.2 of the Code.

In regard to the depiction of the child climbing the shelving unit, the Board again noted the tongue-in-cheek tone of the advertisement. Nonetheless, the Board considered it to be irresponsible to depict a child climbing shelves unattended. For this reason, the Board considered the depiction was contrary to prevailing community standards on health and safety and therefore in breach of Section 2.6 of the Code.

The Board therefore upheld the complaint.

ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

Thank you for providing the Board's feedback. Unicharm has decided to discontinue the use of this advertisement.