



CASE REPORT

- | | |
|-------------------------------|---------------------------------|
| 1. Complaint reference number | 109/04 |
| 2. Advertiser | Midland Brick |
| 3. Product | Housegoods/services |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 11 May 2004 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The advertisement depicts a man laying bricks in his garden. His wife tells him lunch is ready and he has a sudden idea. He rubs dirt all over his face and body and pours water over his head so that it appears that laying the bricks was extremely hard work and then goes inside to eat his lunch. The tagline of the advertisement is “Midland Brick have taken the sweat out of garden renovation, with Garden wall.”

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

“This is against all safety advice. Mulches are proven disease carriers. I also have a family member suffering atypical TB with mulch a possible contamination origin. I find Midland brick very irresponsible when we have all been educated to heed health warnings re handling mulches.”

THE ADVERTISER’S RESPONSE

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

“The advertisement in question is intended to be tongue-in-cheek and the character portrayed dirties himself with generic garden dirt, not fertiliser or any known harmful substance.”

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 advertiser’s comments that no known harmful substance was used in the advertisement.

The Board found that the depiction did not contravene the provisions of the Code relating to health and safety.

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