



CASE REPORT

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| 1. Complaint reference number | 113/98 |
| 2. Advertiser | Continental Basketball Association (Toowoomba Mountaineers) |
| 3. Product | Leisure & Sport |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 11 August 1998 |
| 7. DETERMINATION | Dismissed |

THE COMPLAINT

This was an advertisement, set to music, advertising basketball. The complainant objected to the music used in the advertisement.

Comments the complainant made about the advertisement included:

'It (the music) was repetitive to the point of being painful, on top of WIN's tradition of running advertisements at excessively high volume...has caused my wife distress...surely they can come up with a reasonable compromise that will positively enhance their promotion without causing pain and distress to those with migraines and other similar complaints.'

THE DETERMINATION

The Advertising Standards Board ('the Board') considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics ('the Code').

The Board was of the opinion that this advertisement did not contravene prevailing community standards of health and safety and did not breach the Code. The Board dismissed the complaint.