



CASE REPORT

1. Complaint reference number	144/06
2. Advertiser	Scinat Australia Pty Ltd (Remifemin)
3. Product	Health Products
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 9 May 2006
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a man waking and wondering why his wife is not in bed. A female voiceover asks “Something missing in your life?” He searches the house and finally discovers her curled inside the fridge cuddling a teddy and holding a bag of frozen peas to her flushed face. A female announcer advises “Menopause affects Australian women in many ways. Headaches, anxiety, hot flushes, night sweats. Even marriage breakdowns. Menopause can really turn you into another person. The good news...Remifemin. Over the past ten years, Remifemin has already helped thousands of Australian women relieve menopausal symptoms...naturally.” The husband and wife are then seen laughing, and hugging in a beachside setting and the voiceover concludes “Remifemin... now theres an easier way to chill”.

THE COMPLAINT

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

We are constantly telling young children of all ages that you shouldn't play in refrigerators...the ad is just sending the wrong message to children...it's a child's death waiting to happen.

My children saw it and asked if they could get in the fridge too when it is hot.

I work with children age 3 – 5 years old. Just recently I found one of my children hiding in the “home corner” fridge! They had pulled out the plastic shelves and climbed inside. Another child was closing the door when I discovered them. ...This (advertisement) gives a confusing and terribly dangerous message to our children.

THE ADVERTISER'S RESPONSE

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

Our ad is focused on women who are in their menopause stage and it is advertised during those time slots focused for this audience.

Nearly every fridge these days have magnetic and rubber protectors to seal the door. These can be easily opened from inside the fridge if someone was stupid enough to go to so much trouble in the first place, even a three year old.

There are simply dozens of examples of commercials that could entice ridiculous acts but there has to be some “reality” to the situation.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breached section 2 of the Advertiser Code of Ethics (the “Code”). In particular, the Board considered whether this advertisement breached section 2.6 of the Code in depicting material contrary to prevailing community standards on health and safety.

The Board noted that while fridges were once manufactured so that they could not be opened from the inside, this design flaw had been changed many years ago now and that standard fridges can now be opened from the inside. Accordingly, the Board considered that it would not be possible to inadvertently lock oneself inside a fridge and that the material in the advertisement did not therefore breach prevailing community standards on health and safety.

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