



CASE REPORT

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| 1. Complaint reference number | 145/06 |
| 2. Advertiser | Pulp (Black Never Dies) |
| 3. Product | Clothing |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | |
| 6. Date of determination | Tuesday, 9 May 2006 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a “goth girl” dressed in black in a bathroom, styling her black hair with a blow dryer. She turns off the dryer and opens a bathroom cabinet. A jar of moisturiser falls into the sink and breaks, startling her so that she slips backwards and the hair dryer falls from her hand into a bath full of water. As the hair dryer sizzles, she tries to stop her own fall into the bath by grabbing the shower curtain in desperation. The curtain eventually breaks away from the rail causing her to fall into the bath. When she sits up in the bath holding the hair dryer, it sizzles, and she seems surprised to be alive. The words “Black Never Dies” appear on screen.

THE COMPLAINT

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

It is too extreme and suggestive to impressionable children and teenagers who might be naïve enough to copy the scenario for themselves with dire consequences.

The advertisement advertises that you are safe in black.

I was watching it with my children...they were gobsmacked that the girl did not die. I would hate to see a little one put a hairdryer (sic) in the bath in the mistaken belief that it was safe.

I fear that young children under 8 yrs of age may receive the message that it's ok to have a hair dryer near a bath and they won't get hurt.

I feel that this portrays a totally wrong image because if this was to occur in reality the person would be electrocuted, and most probably be killed.

...it suggests that if you fall into a bath tub of water with a dryer you will not be harmed if you are wearing black clothing.

Children don't understand that electricity doesn't mix with water.

THE ADVERTISER'S RESPONSE

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

...the commercial is no longer scheduled to go to air in Australia .

The advertisement received a PG rating and spots were allocated accordingly.

Winter 2006 has seen a resurgence in black as a statement colour and the Pulp advertisement was

created to reiterate this in a quirky manner.

The advertisement was in no way designed to say electrical appliances and water mix. The fact that the girl in question is clearly scared and trying to do everything in her power (grabbing the shower curtain) to avoid falling into the water demonstrates this is not a safe practice. In fact, she is shocked and amazed she is still alive.

THE DETERMINATION

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

The Board considered that the scenario represented in the advertisement was so serious, it should not be used in a flippant way. The Board noted that neither fantasy nor humour were used as techniques in the advertisement to suggest that the scenes represented in the advertisement were anything other than real life scenes. The Board noted that many deaths and suicides are caused as a result of mixing electricity and water. The Board noted the advertisers’ response that the commercial is no longer scheduled to go to air in Australia . Despite this, the Board determined that the advertisement breached prevailing community standards as to health and safety as it showed an unrealistic outcome resulting from a very unsafe practice.

The Board upheld the complaints against this advertisement.