



CASE REPORT

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| 1. Complaint reference number | 155/09 |
| 2. Advertiser | Hyundai |
| 3. Product | Motor Vehicle |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Violence Cruelty to animals – section 2.2 |
| 6. Date of determination | Wednesday, 22 April 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

Television Commercial shows Hyundai i30 motor car. Voice over says “it’s the little things that make the i30, Australia’s best mid-sized car.” Vision shows a small dog open the glove box with its paw. As voice over says “..like a handy cooler box”. The dog is shown to put its tongue on a can of drink in the cooler box. The dog’s tongue is portrayed as being stuck on the cold can and as the dog pulls back, its tongue is shown to stretch unnaturally far. As the dog turns to look at the camera, the voice over says “i30, full of unexpected surprises.”

THE COMPLAINT

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

It promotes cruelty as I'm sure some idiot will watch it and try it out on some poor animal... I'm sure that the Advert was not made using an actual dog, at least I sincerely hope not. Even so I think there is enough cruelty to animals in this Country without make a joke out of such an event, especially if children were watching at this time of the evening... I was very upset by the advert.

THE ADVERTISER’S RESPONSE

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

This is the response from Hyundai Motor Company Australia Pty Ltd (HMCA) regarding the complaint about the i30 ‘cool box’ tvc.

The most obvious point we need to make first is that of course HMCA would not condone or wish any form of violence or cruelty to animals. In fact HMCA is an active supporter of the RSPCA.

The TVC is an exaggerated demonstration of the cool box that every Hyundai i30 has, where a cold can of ‘Terrier’ mineral water is kept so cold, when our hero dog ‘Pav’ licks the can his tongue becomes stuck to it. As he pulls back his tongue stretches to an incredible length.

Of course, it is not his tongue stuck to it. It was a prosthetic tongue produced by a movie prop company and had a small ball at the end of it. In fact you can buy similar types of fun pet false tongues with a tennis ball at the end of it at some pet stores. Pav was taught to pick up the ball in his mouth and pullback. We then called his name to get him to face camera in the take we used for the TVC.

This scenario is a recreation of numerous comedies and cartoons where tongues get stuck to frozen items. HMCA cannot see how this could promote violence to animals or encourage anyone to attempt a similar ‘feat’. In fact for this to actually occur, the can would have to be frozen

significantly below zero degrees for a tongue to actually freeze to it. A household freezer would not even get the can cold enough (ie below -20 degrees or so) for things to stick to it.

Our final comment on the response is that we have received positive feedback to this campaign and no direct complaints to this or any other i30 advertisement.

HMCA trusts the ASB will see the common sense in this and dismiss the complaint.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”) and the Federal Chamber of Automotive Industries Voluntary Code of Practice for Motor Vehicle Advertising (the “FCAI Code”).

The Board noted the complainant's concern that the depiction of the dog getting its tongue stuck on the cool box promotes cruelty to animals and considered the application of Section 2.2 of the Code, relating to the presentation or portrayal of violence.

The Board noted that the dog is depicted licking the cool box and then getting its tongue stuck. The Board noted that as the dog pulls away, its tongue stretches in a clearly unrealistic cartoon-style. The Board considered the depiction was not a realistic depiction of cruelty to animals and did not agree the advertisement promoted or encouraged cruelty to animals in any way. The Board therefore found no breach of Section 2.2 of the Code.

The Board also noted that no driving was depicted in the advertisement and found no breach of the FCAI Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.