



CASE REPORT

1. Complaint reference number	164/06
2. Advertiser	KIA Automotive Australia (Carnival)
3. Product	Vehicles
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 opens on a woman asleep on a lounge room couch. A KIA salesman approaches her and blasts an air horn near her head, waking her in shock. A male voiceover states “Wake up. Did you know you can get the 7 seat V6 KIA Carnival with dual sliding doors and dual air zones, from only \$29,990 drive away, that’s all you’ll pay”. The sleeping woman, now fully awake, lunges for the salesman and chases him out of the house. Voiceover continues “KIA. The power to surprise”.

THE COMPLAINT

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

...it is dangerous to blast an air-horn close to a person’s ear. It could permanently damage hearing and cause psychological trauma

THE ADVERTISER’S RESPONSE

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

The scenario in the commercial is carried out in jest and humour.It is certainly not intended to encourage any dangerous behaviour or to condone the use of air horns for dangerous purposes.

It would be an extremely unlikely consequence of the commercial for a viewer to decide to engage in drive by air horning or similar activities. We believe that to act on this assumption would be to misread the overriding harmless nature of the commercial.

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 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 the scene presented in the advertisement was humorous and not intended to be real. The Board considered that as a result, the advertisement did not 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.