



CASE REPORT

1. Complaint reference number	174/01
2. Advertiser	Nintendo Australia Pty Ltd (Super Mario Advance - Concourse)
3. Product	Toys & Games
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2 Health and safety – section 2.6
6. Date of determination	Tuesday, 14 August 2001
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

Simulating a Nintendo game, the advertisement shows characters fighting on an airport moving walkway. As a voiceover says “Pluck things from the ground and hurl them at your enemies,” one of the characters throws a turnip-like vegetable at another character, who falls to the ground on being struck on the back of the head. As the voiceover says “Pluck your enemies from the ground and hurl them at your other enemies,” a character is shown throwing one person at another. The advertisement concludes with the voiceover saying “Super Mario Advance, only for GameBoy Advance.”

THE COMPLAINT

Comments which the complainants made regarding this advertisement included the following:

“This kind of violence is totally corrupt in a game for kids, let alone shown on prime-time TV viewing. No wonder the world is so violent with rubbish like this available for kids or parent to purchase.”

“My son age two after watching this advertisement several times, now started to imitate the man in the advertisement. For the first time, he picked up a chair and threw at his grandma and aunt. He thinks it is funny and alright to do it even though I have explained to him that it is not the right way to do it and the advertisement is misleading.”

THE DETERMINATION

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

Expressing the view that children have an ability to distinguish fantasy from reality, the Board determined that the material within the advertisement did not contravene the Code’s provisions pertaining to violence or health & safety. Finding that the advertisement did not otherwise breach the Code, the Board dismissed the complaint.