



## **CASE REPORT**

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|-------------------------------|-----------------------------------|
| 1. Complaint reference number | 181/05                            |
| 2. Advertiser                 | IGA Supermarkets Food Stores      |
| 3. Product                    | Housegoods/services               |
| 4. Type of advertisement      | TV                                |
| 5. Nature of complaint        | Health and safety – section 2.6   |
| 6. Date of determination      | Tuesday, 12 July 2005             |
| 7. DETERMINATION              | Upheld – discontinued or modified |

## **DESCRIPTION OF THE ADVERTISEMENT**

The first scene in this advertisement depicts a suburban setting. A modest family home is shown followed by a skateboarder riding in a skate park. The skateboarder is shown to perform a stunt without wearing a helmet. The following scenes in the advertisement depict the manager of an IGA supermarket assisting his staff with their jobs and his customers with their shopping.

## **THE COMPLAINT**

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

*“... This is contrary to the Code’s health and safety guidelines...”*

## **THE ADVERTISER’S RESPONSE**

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

*“... under the law, legislation and police advice, the wearing of helmets on skateboards is not required... in any event, empirical evidence suggests that the vast majority of skateboard riders do not wear helmets and this indeed is indicative of prevailing community standards...”*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

Contrary to the advertiser’s assertion that there is no legislation requiring the wearing of safety equipment when skateboarding, the Board noted that it is a legal requirement in South Australia to wear a helmet when skateboarding. This advertisement was broadcast in South Australia .

The Board considered that the depiction of the boy not wearing a helmet in a skate park was contrary to community standards on health and safety. The Board was of the view that the local laws of South Australia were reflective of community standards on health and safety in that State.

The Board found that the advertisement did contravene the provisions of the Code relating to health and safety. The Board therefore upheld this complaint.