



## **CASE REPORT**

1. Complaint reference number	196/04
2. Advertiser	Nestle Australia Ltd (Peters Entice)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Other - Social values
6. Date of determination	Tuesday, 10 August 2004
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement features a male character in a hospital bed and his partner enters and asks how it happened. Another woman tells her its because she ran him down with a speedboat. The other woman replies “Just because you try and kill someone, it doesn’t mean you don’t love him.”

## **THE COMPLAINT**

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

*“Upon hearing this my six year old and three year old approached me, asking ‘is it ok to kill someone even if you love them?’ How does a mother explain that, when at their age everything they hear on television must be true!”*

*“This kind of senseless advertising demolishes our efforts and misleads and confuses our children’s perceptions on the importance of life.”*

## **THE ADVERTISER’S RESPONSE**

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

*“The advertisement concerned ..... is one of a series which parodies the soap opera genre of television programs typically shown in the afternoons with an overwhelmingly adult female audience. It has been shown in these programs and in others with a similar audience.”*

*“Any reasonable adult viewer would see the parody and absurdity of the scenario and dialogue, and if viewing in the company of a child could point this out.”*

## **THE DETERMINATION**

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

The Board was of the view that in the context of prevailing community standards, the majority of people would find this advertisement humorous rather than offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to the portrayal of people (social values).

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.