



CASE REPORT

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| 1. Complaint reference number | 2/07 |
| 2. Advertiser | Dean's Tackle & Outdoors |
| 3. Product | Leisure & Sport |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 13 February 2007 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features Christmas specials at Deans. One of the items on sale is a Bait Pump, demonstrated by two staff members. As they hold the product, one man puts his ear to the top end of the pump, while the other withdraws the plunger from the bottom.

THE COMPLAINT

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

One of the idiots in the advertisement puts the bottom end of the pump up to his ear as though listening to it, while the other idiot pulls back on the plunger. If children were to follow the advertisement, and pushed the pump tightly on the head of another child completely encompassing the ear and then pulled back on the plunger as shown, they could do massive damage to the ear drum of another child.

As described above it, it is just incredible that any one would put such a powerful pump, it has the ability to both suck and spray, anywhere near any orifice of the body.

THE ADVERTISER'S RESPONSE

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

This advertisement has not been on air since mid January. It is not longer to be used in any advertising for this organisation.

THE DETERMINATION

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

The Board viewed the advertisement and considered the complainant's comments that the depiction of the bait pump against the man's ear depicted a dangerous practice.

The Board considered whether the image was in breach of Section 2.6 dealing with material contrary to prevailing community standards on health and safety. The Board agreed that depicting the pump being used against a man's ear was, in this advertisement, depicting a dangerous practice and hence breached Section 2.6.

Finding that the advertisement breached the Code, the Board upheld the complaint.

ADVERTISER'S RESPONSE TO DETERMINATION

As per response, advertisement has been withdrawn.