



## CASE REPORT

|                               |                                   |
|-------------------------------|-----------------------------------|
| 1. Complaint reference number | 20/04                             |
| 2. Advertiser                 | Coca-Cola South Pacific Pty Ltd   |
| 3. Product                    | Food                              |
| 4. Type of advertisement      | TV                                |
| 5. Nature of complaint        | Health and safety – section 2.6   |
| 6. Date of determination      | Tuesday, 17 February 2004         |
| 7. DETERMINATION              | Upheld – discontinued or modified |

## DESCRIPTION OF THE ADVERTISEMENT

This particular advertisement features a series of scenes depicting teenagers' engaged in various recreational activities and attempting different stunts. The recreational activities and stunts include bike riding and skateboarding off ramps and into pools. They also include 'surfing' on miscellaneous items such as photocopiers and pallet jacks. Some of these activities take place in what appear to be empty car parks, rooftops or loading docks.

## THE COMPLAINT

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

*"... it was only a few months ago that a teenager was killed in the Indooroopilly Shopping Centre in Brisbane when he attempted to 'surf' on a shopping trolley."*

*"... I am **concerned** with the kids out there who YOU are targeting. The teenager who thinks he is immortal and tries to emulate your advert with proven .... disastrous results."*

*"It is absolutely irresponsible to suggest to an adolescent demographic that behaviour that totally disregards personal and public safety is acceptable."*

*"The whole commercial shows complete lack of respect for the community."*

*"None of the activities shown in the advert are SAFE by any means, even under controlled conditions."*

## THE ADVERTISER'S RESPONSE

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

*"We do not believe the commercial is irresponsible as we have ensured the safety components (seat belts, helmets) are incorporated and the activities portrayed in the advertisement are typical of the target age group (teenagers)."*

## THE DETERMINATION

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

The Board found that the depiction contravened the provision of the Code relating to health and safety.

In making its determination, the Board took the following matters into account:

1. The Board gave consideration to the safety aspects of the advertisement. The Board considered such aspects in the context of prevailing community attitudes on safety. The Board took the view that some of the activities portrayed could be considered irresponsible and the advertiser therefore contravened prevailing community standards on safety;
2. In its further consideration of prevailing community standards, the Board noted that in the context of the prevalence of serious consequences resulting to teenagers (including serious injury and death) from even the simplest of recreational activities, this advertisement was a gratuitous inducement to teenagers to take such dangerous risks;
3. The Board noted that the advertisement did not depict the activities taking place in a ridiculous or satirical manner so as to send the message to teenagers that the activities were far fetched and not to be seriously attempted. The Board considered that the portrayal of the teenagers' activities were a gratuitous depiction of danger as opposed to being satirical and that such a depiction is more likely to have the effect of encouraging the teenagers to attempt the activities. The Board also considered such a depiction conveyed a message to teenagers that these were 'normal' and realistic things for teenagers to do and thus was condoning or glorifying the activities.

The Board acknowledged that some of the activities portrayed in the advertisement were not in breach of the Code.

Overall, however, the Board considered that the advertisement was in breach of section 2.6 of the Code and therefore upheld the complaint.