



CASE REPORT

1. Complaint reference number	208/05
2. Advertiser	Nestle Peters Ice Cream (Peters Entice)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Language – use of language – section 2.5
6. Date of determination	Tuesday, 9 August 2005
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a young boy sitting at the head of a dining table with his grandparents on his right side and his parents on his left. The child says to his parents and grandparents: *“Free love, that’s what the world needs now. It’s what 30,000 half naked people felt swaying in the mud to a Hendrix lick. Before the world got all cynical and bugged down.”* At this point the grandmother feeds the child another scoop of Peters Entice ice cream. The child then states: *“Maybe free love might help Dad dislodge whatever it is he’s got stuck up his chakra.”* The father looks across the table with a shocked expression. The grandmother places the lid back on the tub of ice cream. The voiceover states: *“Entice them over.”*

THE COMPLAINT

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

“It is disgraceful for a young boy to be seen making comments like – “Free Love”

“Naked people rolling around in the mud”

“What’s up Dad’s?””

“... I believe the advertisement is vulgar and inappropriate, and as someone working regularly with young children I am grossly offended that a company with such a high profile would contribute deliberately to the decline in children’s moral behaviour by encouraging such “smart-alec” behaviour and offensive language.”

“... I find this offensive as it sexualises a child...”

THE ADVERTISER’S RESPONSE

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

“... We acknowledge and understand the nature of this complaint.”

“It is our opinion that the advertisement does not contravene section 2 of the AANA Advertiser Code of Ethics...”

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 not find this advertisement offensive. The Board considered that the majority of people would understand that the boy's speech was the result of conversations he had with his grandparents who had "enticed" him over to their place with the offer of ice cream. The Board considered that although the language used by the boy was of an adult nature, the material did not discriminate against or vilify any person, including the child, on the grounds of age.

The Board further considered that the words used by the child did not breach the provisions of the Code relating to the use of language.

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