



CASE REPORT

1. Complaint reference number	22/01
2. Advertiser	Nestle Australia Ltd (Peters Drumstick Gold - Lemon Cheesecake Flavour)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2 Health and safety – section 2.6
6. Date of determination	Tuesday, 13 February 2001
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENTS

The television advertisement comprises a ‘top and tail’, each set to the melody, ‘Greensleeves’, emanating from an ice cream van:

1. Top: A woman is sleeping in a chair in the kitchen of a house and is wakened by the music. A shot follows of the moving van. She shakes a piggy bank which she smashes when she finds it empty. A shot follows of the van and its driver, smiling happily. She searches in a drawer, scattering its contents on the floor. There is another shot of the moving van. She looks under a mattress, then leaves the house and stands in front of the approaching van, holding a water pistol behind her back. The van comes to a halt as she holds the pistol in outstretched arms. The advertisement concludes with a shot of the side of the van, advertising the product.

2. Tail: The van moves to reveal the woman sitting on the guttering of a footpath smiling as she eats the product. The driver of the van exchanges glances with a security man alongside him. The woman looks toward the van and, in its cabin, the driver shakes his head, smiling. The advertisement concludes with a shot of the side of the van advertising the product, and a voiceover: ‘New Drumstick Gold. Lemon Cheesecake Flavour’.

THE COMPLAINT

Comments which the complainants made regarding these advertisements included the following:

‘With all the armed robberies around the place we think it is in pretty poor taste especially for young children.’

‘The message behind these advertisements is that it is okay to commit any action against another person (stealing or threatening someone with a gun) in order to get what you want. I question whether it is morally, ethically or even legally (encouraging crime) responsible to allow such advertisements to be screened.’

The Advertising Standards Board (‘the Board’) considered whether these advertisements breach Section 2 of the AANA Advertiser Code of Ethics (‘the Code’).

The Board was of the view that the advertisements did not contain material which contravened prevailing community standards on Health & Safety. The Board determined that the advertisements did not contravene the Code on this or any other ground and, accordingly, dismissed the complaint. The Board noted in passing that the storylines were clearly fictitious.