



CASE REPORT

1. Complaint reference number	223/08
2. Advertiser	Symbion Consumer
3. Product	Health Products
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Wednesday, 9 July 2008
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The advertisement begins at an outdoor market place. A sign advertises the Amazing Marlina - she will eat anything. We see an attractive, slightly bohemian-looking woman. A performer of some kind. A small group of people is clustered around her. Before her, on a multi-tiered cake stand, is a pile of bicycle pieces. She is eating a pedal. People are applauding.

Voice over: The Amazing Marlina eats a bicycle every day. (We watch her bite down on a pedal) And a teapot for dessert. (She takes a bite of the spout)

Voice over continues: Naturally, Marlina needs vitamin and mineral supplements. (She swallows a bicycle chain) But at home, the last thing she feels like swallowing is a big, horrible tablet.

We cut to Marlina at home in her kitchen. Camera zooms in on a bottle of Cenovis Flavour glides as Marlina picks it up from the kitchen bench.

Voice over: That's why Marlina loves the new Flavour Glides range from Cenovis...

The advertisement cuts away to product animation: we see a swirl of berries and liquid, creating a vortex around a vitamin tablet, coating it with a gleaming pink sheen. A graphic appears over this sequence: Berry Flavoured. No artificial colours or flavours. Not derived from real fruit.

Voice over: The smooth, delicious berry flavoured coating makes vitamins easy to swallow...

Cut back to see Marlina as she swallows a Flavour Glide with a sip of water and smiles.

Voice over: ... so better health goes down a treat!

Marlina looks at the Flavour Glides bottle and quips: "Mmm, even the bottle looks tasty!"

The camera pans away from the smiling Marlina and across to the complete Flavour Glides range and super of the Cenovis logo and disclaimer: Always read the label. Use only as directed.

Voice over concludes: Flavour Glides, new from Cenovis

THE COMPLAINT

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

I find this kind of behaviour highly dangerous and would question the mental stability of any person who eats items such as these. Showing these images on television at a time when children would be watching, or not yet in bed, is highly irresponsible, as some children may be likely to experiment with eating such items, having seen it on TV. The ad does not show the likely consequences of such behaviour and is neither humorous or entertaining. I find the image of a woman consuming a bicycle chain highly offensive and nauseating to say the least.

During this ad a woman is shown to be eating non-edible products eg teapot & necklace. This ad is far too dangerous to be shown at 7.30pm, young minds are very impressionable and Cenovis/WIN are encouraging small children to put foreign objects into their mouths. Children can not be expected to know of the dangers of swallowing a necklace and to see a woman on TV actually doing it gives the impression its a safe thing to do, which of course it isn't. This ad needs to be removed from TV or somehow altered.

THE ADVERTISER'S RESPONSE

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

We are writing in response to a consumer complaint following the broadcast of TVC for Cenovis® 'Flavour Glides™'. As this letter argues, we do not believe the campaign was in breach of Section 2.6 of the AANA Advertiser Code of Ethics.

We refute any claim that the campaign might be considered as contrary to prevailing community standards of health and safety or encourage dangerous behaviour by a reasonable viewer.

The 'Flavour Glides' range from Cenovis is new to the market and this advertisement was created to present, in a light-hearted way, the benefits of the smooth, berry-flavoured, easy-to-swallow coating. The 'The Amazing Marlena' character was created with the incredible ability to 'eat' bicycles and teapots, to exaggerate difficult-to-swallow pharmaceuticals. Her so-called ability to 'eat' anything was not intended to reflect a normal human ability but an over-the-top and unreal super power.

For the shorter version 15sec TVC, two versions were produced to ensure a G rating. One depicted Marlena 'eating' the bicycle parts, but not the teapot. Another showed Marlena simply holding - not 'eating' - the parts. However, all of the 'Flavour Glides' TVC's were given a G rating- and thus were able to be run in all spots. The programs bought for the campaign were those targeting women 25-54 years as the primary audience, and the majority of the spots were therefore skewed to PG placement.

In summary, the advertisement is a fantastical metaphor. It is designed to be a surreal, fun depiction and extravagant exaggeration (or puffery) of the difficulties overcome in swallowing Cenovis 'Flavour Glides'. We believe the average, reasonable viewer would interpret the advertisement in this way.

As a responsible, code and self-regulation abiding marketer, Cenovis would never encourage people to try to do this for real. The commercial is not aimed at children or adolescents, rather it is targeted at people aged 18-60, and hence the lead talent is in her late 20s.

We thank the Advertising Standards Board for bringing this complaint to our attention, and despite the fact the campaign is now off air until July, hope that the complaint will not be upheld.

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 television advertisement and noted that it was clearly fantasy.

The Board noted that the advertisement was not shown during children's programming times and nor was it directed towards children.

The Board further noted that even young children would be aware that the advertisement was clearly fantasy and it would not encourage them to try and eat a bicycle chain or any of the other items featured in the advertisement.

Finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.