



CASE REPORT

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| 1. Complaint reference number | 287/07 |
| 2. Advertiser | Cerebos Foods (Riva Coffee) |
| 3. Product | Food & Beverages |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 11 September 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement is set in a supermarket where a female and three male dancers perform a dance routine using shopping trolleys as props.

THE COMPLAINT

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

Working in supermarkets it is our duty regarding health and safety, to educate young people NOT under any circumstances to ride in or on trolleys...There are so many hoons out there that think it is a laugh to hop in a trolley and run down the streets, knocking over all the rubbish for residents to pick up.

THE ADVERTISER'S RESPONSE

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

In regards to the actual television commercial, this was shot at night in a closed store in controlled conditions and does not at any time have any real shoppers in the commercial. The only people in the TVC are professional dancers who are interacting with the shopping trolleys as a creative execution to their interaction with the RIVA brand that is inspiring them. This was deemed a creative way to add energy to the RIVA brand and was not supposed to reflect an actual shopping experience nor did we at any time expect this to encourage anyone to be irresponsible with a shopping trolley be it in store or otherwise.

It is worth noting that Cerebos has not received any other complaints in relation to the RIVA commercial since it aired in May this year. This would seem to support the view that most viewers understand the concept of the commercial, its entertainment value and do not see the safety issue claimed.

I have taken measures this week to include a disclaimer on all pieces of RIVA creative that includes a shopping trolley (TV, Print and Online including our website) that communicates responsible use of trolleys / not trying this at home / in store. I have requested this to be complete ASAP and can provide a timeline and final creative should you need it.

At this stage, the TVC has finished on free to air although it is still running on pay TV until the end of September. We have not decided yet if there are further plans to air the commercial again.

THE DETERMINATION

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

The Board noted the complainant's concern that the advertisement depicted unsafe behaviour with shopping trolleys that could lead to copycat behaviour.

The Board noted that the actions in the advertisement did appear to be carried out in a supermarket where there were no shoppers. It appeared clearly to be a staged environment and a fantasy representation of 'shoppers' carried away by the product. The Board considered that the advertisement was a parody of recent films that appear on the pop culture 'you tube' and that most viewers would see this as such. The Board considered that the advertisement depicted a fantasy situation that was unlikely to lead to copycat behaviour that would be contrary to prevailing community standards on health and safety. The Board determined that the advertisement did not depict material that is contrary to prevailing community standards on health and safety.

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