



## **CASE REPORT**

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|-------------------------------|---------------------------------|
| 1. Complaint reference number | 293/99                          |
| 2. Advertiser                 | Vodafone Network Pty Ltd        |
| 3. Product                    | Telecommunications              |
| 4. Type of advertisement      | Print                           |
| 5. Nature of complaint        | Health and safety – section 2.6 |
| 6. Date of determination      | Tuesday, 14 September 1999      |
| 7. DETERMINATION              | Dismissed                       |

## **DESCRIPTION OF THE ADVERTISEMENT**

The print advertisement consists of a close up head and shoulder photograph of the actor Michael Richards (who played the character Kramer in the television show Seinfeld) with what appears to be an egg in his mouth. The heading reads 'The advantage of new 1 Second Call Plans. Eggsplained' and is followed by text giving details and prices of the calling plan.

## **THE COMPLAINT**

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

*"It represents considerable risk to children and some adults who might be tempted to copy the stupid behaviour; the Royal Children's Hospital would assure you that they treat examples every year of children swallowing/choking on ping pong balls, golf balls, eggs, etc. ... the major, ridiculous image has nothing directly to do with the product advertised."*

## **THE DETERMINATION**

The Advertising Standards Board ('the Board') considered whether this advertisement breached Section 2 of the Advertiser Code of Ethics ('the Code').

The Board determined that the advertisement did not contravene prevailing community standards on safety, noting that the image in question was presented in an exaggerated, humorous context and was not such as to encourage imitation. The Board determined that the advertisement did not breach the Code on this or any other ground and, accordingly dismissed the complaint.