



CASE REPORT

1. Complaint reference number	308/05
2. Advertiser	Wrigley Co Pty Ltd (Eclipse)
3. Product	Food
4. Type of advertisement	Outdoor
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 8 November 2005
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement features an image of Wrigley’s Eclipse chewing gum against a black background. The words: *“Smoke cigars. Blow kisses.”* appear in white bold font.

THE COMPLAINT

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

“This advertisement, although it is for mints, carries a clear message that tobacco smoking is acceptable and the more insidious message that it’s perfectly safe as long as you have mints afterwards. This is contrary to everything that is known about tobacco smoking and comes close to a subtle form of tobacco advertising. The message is simply not appropriate...”

THE ADVERTISER’S RESPONSE

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

“By no means, whatsoever, was any direct reference to encouraging cigar smoking intended, nor do we believe, portrayed within this execution.”

“... Humorous and light-hearted in nature, the sole objective of the campaign is to highlight the efficacy of our product in light of extremities within less-than-perfect “fresh breath” scenarios. If anything, we feel the specific execution in question actually highlights the less-than-desirable breath outcome of cigar smoking itself...”

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 the words used in the advertisement did not constitute an endorsement of smoking rather it promotes a solution to bad breath. The Board noted that this advertisement was one in a series by the advertiser which included the words: *“Eat sushi. Get smoochie”*; *“Curries. No Worries”*; *“Crushes Garlic”*.

The Board found that the depiction did not contravene the provisions of the Code relating to health and safety.

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