



CASE REPORT

1. Complaint reference number	353/06
2. Advertiser	Borders (Fathers' Day)
3. Product	Retail
4. Type of advertisement	Print
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 12 September 2006
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

This print catalogue features a cover depicting a man wearing a helmet and kneepads, and arms outstretched for balance, “surfing” down a grassy slope on a shopping trolley. The catalogue title is “Father’s (*sic*) Day. Everything for Big Boys”.

THE COMPLAINT

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

I feel it is encouraging the inappropriate and dangerous use of a shopping trolley. Shopping trolleys were not designed to be surf boards and to get the trolley to a grassy slope would involve theft of the trolley....and (it) would no doubt be left abandoned and possibly trashed, representing a further hazard.

THE ADVERTISER’S RESPONSE

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

Our intention is to produce imagery that is: Humorous, witty, friendly, approachable, irreverent, quirky. We believe that this image portrays these attributes and that appeals to our broad base of customers.

THE DETERMINATION

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

The Board considered whether the portrayal of a man surfing in a shopping trolley was a depiction of material that contravened community standards on health and safety. The Board felt that the image showed an unsafe activity in a way that could encourage copycat behaviour amongst young people. It noted that although the man was wearing protective gear and was standing on the trolley on a grassy slope this did not lessen the impact of the activity but instead suggested the man’s actions were premeditated.

The Board noted that although the advertiser felt the image appealed to its target audience the publication had been circulated to the wider community. The Board felt that sectors of the community may not understand that that the image was intended to be humorous and that it may encourage potentially unsafe behaviour.

On this basis the Board found that the advertisement breached clause 2.6 of the Code and upheld the complaint.

ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the Board's determination to uphold the complaints included the following:

This image is no longer in use in Borders stores or in any borders communication and will not be used by Borders in future.