



CASE REPORT

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| 1. Complaint reference number | 377/99 |
| 2. Advertiser | Mistral International |
| 3. Product | Housegoods/services |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6
Other - Miscellaneous |
| 6. Date of determination | Tuesday, 7 December 1999 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement shows a Santa Clause figure emerging from a chimney in a darkened house. He leaves a number of presents and is about to leave when he notices a toaster, which he then places in his sack. He then quickly places several more appliances in his sack before taking a bite from a slice of cake and returning up the chimney as a small dog begins barking after him. Voiceover concludes ‘The new Mistral range of home appliances ... Irresistable’.

THE COMPLAINT

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

“Santa is extremely important to children and encourages children to be well behaved, as well as showing them that giving is important especially this time of the year. However, Santa in this advertisement does the contrary to this and is extremely detrimental to children’s perception of who Santa is and the true meaning of Christmas.”

“How many homes will be burgled this year over the Christmas period? Thank you Mistral for your encouragement and support of our hard done by criminals.”

“... if Santa can steal then it may be viewed by children that it is permissible for them to do the same.”

THE DETERMINATION

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

While appreciating the personal views of the complainants, the Board noted that the depiction of the ‘Santa’ character was in a clearly fictitious context and not such as would realistically encourage theft. The Board determined that the advertisement did not contain material that contravened prevailing community standards on safety and that the advertisement did not breach the Code on this or any other ground. The Board, accordingly, dismissed the complaint.