



CASE REPORT

1. Complaint reference number	449/07
2. Advertiser	Bridgestone Tyres (Turanza Tyres)
3. Product	Housegoods/services
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Wednesday, 16 January 2008
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a young father trying unsuccessfully to pacify his baby on a stormy, thundery and rainy night. He listens to a message left on the phone by his wife, advising that if the baby won't settle, "try the Turanzas". Realising what she means, he drives the baby around for a while in the car, a ride so smooth, that by the time he returns home, the baby is fast asleep in his rear car seat.

THE COMPLAINT

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

At the end of the drive in the ad the child (about 1 year old or less) is shown sleeping on the front passenger seat in a blanket. The personal safety and driving safety issues are: 1. It is illegal to take such a small child (1 year or so) on the front passenger seat. 2. It is illegal to take such a small child outside a properly fixed/restraint child capsule. 3. The capsule is only allowed at the rear seat and with child facing backwards 4. No one is to ride in the car without the seat belts. The ad promotes extremely unsafe carriage of small children in the car, breaking of laws, putting the life of child and others in danger - specifically the driving conditions shown are extremely bad (wet, dark and night) weather. I am appalled at the messages that this ad promotes and especially as it is endangering the life of the child and others (in case the car skids, the child will fall down and the father's attention will get diverted completely)

THE ADVERTISER'S RESPONSE

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

Bridgestone Australia Ltd. has been a long standing supporter of road safety and is not in our nature to promote irresponsible or unsafe driving.

Although not obvious in our ad, the baby is wearing a safety harness as seen in the final end frames. We have also supplied additional footage from the shoot to demonstrate that this is absolutely the case.

To address the specific areas of concern raised by the complainant:

- 1. The child is not in the front passenger seat but the back seat of the vehicle as demonstrated by the fact that the father looks over his shoulder at the child*
- 2. The child is properly restrained in a child capsule though somewhat obscured in the TVC's (see paused end frame and additional footage from the shoot)*

3. *The child is in the rear seat of the vehicle. When children reach a certain weight the baby capsule can sit backwards or forwards*

4. *Both the driver of the vehicle and child are wearing safety restraints*

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 a baby being driven in a car without appropriate child safety restraints.

The Board viewed the advertisement and disagreed with the complainant's interpretation of the advertisement. The Board considered that the advertisement did depict the baby in the rear of the car, correctly seated in what does appear to be an appropriate child restraint.

The Board noted that although the vehicle is depicted driving at night and in the rain, the vehicle is not driven in a dangerous manner.

The Board determined that the advertisement did not depict any material that is contrary to prevailing community standards on safety - specifically child safety and road safety - and therefore did not breach Section 2.6 of the Code.

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