



CASE REPORT

1. Complaint reference number	451/09
2. Advertiser	Kimberly-Clark (Kleenex)
3. Product	House goods/services
4. Type of advertisement	TV
5. Nature of complaint	Language – use of language – section 2.5
6. Date of determination	Wednesday, 28 October 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This television commences with a take off of a news break. A young girl is depicted with a microphone discussing what she remembers about using dry toilet paper - and says it was a little bit hard. Now there is a new way for kids to get their bottom clean without help. And it takes life easier for bums. The child states: 'You can teach kids good toilet habits with Kleenex cottonelle.' The advertisement depicts young children discussing how it is easy for them to clean their own bottoms and good for clean bums.

THE COMPLAINT

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

- 1. Child in the ad uses the word "bum" in a rhyme about how the product should be used. This is inappropriate language and undermines my parenting - the word is banned in my home because it is inappropriate language for my 5 year old and 2 year old. My daughter looked at me when she heard it and said that it was a "naughty word" and I couldn't explain why it was ok to be on children's TV.*
- 2. Uses children to sell products to parents (encouraging children to suggest products to parents when shopping with them).*

THE ADVERTISER'S RESPONSE

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

Kleenex® Cottonelle® Kids Moist Wipes were launched in May 2009 in response to the insight that parents, in particular Mums, were frustrated with wanting to meet their child's desire for independence when going to the toilet and yet, were still having trouble getting truly clean with dry toilet paper.

After placing a Kids moist product with consumers, the response was overwhelming with the confidence it gave kids in going to the toilet by themselves, in addition to giving parents the reassurance that their kids were clean.

It became apparent that an opportunity existed to talk to parents about the benefits of the product through the eyes of the end user i.e. children, hence an advertorial style TVC was developed and recently aired on Nickelodeon and Nick JR.

The ad was largely unscripted, with the output spontaneously delivered by the children, resulting in an ad that is innocent and honest in its expression.

Over 137 000 people viewed the activity flighted on Nickelodeon and Nick Jnr over the promotional period and to date, with the exception of this complaint to the ASB, no negative feedback has been received by Kimberley-Clark Australia.

The activity in question ran on the abovementioned stations over a 6 week period (w/c 19 July - w/c 9 August 2009). The TVC has not been aired since and whilst plans are underway to continue the promotion and marketing of the Kleenex® Cottonelle® Kids range, at this time, there are no plans to re-air the current footage.

KCA is a company based on a value of care, which sits behind all that we do; from our brands to the way we treat our employees, our customers, our community and our environment. It is not our intention at any time to cause offence to the consumer.

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 young girl used the word "bum" and that the advertisement encourages pester power.

The Board considered whether the advertisement was in breach of section 2.5 of the Code. Section 2.5 of the Code states:

"Advertising or marketing communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided."

The Board agreed that the use of the word "bum" by the young girl was a term that, although not used by many people, is in common use with respect to children and toileting. The Board considered that the term was used in a manner consistent with its meaning and not in a strong or offensive manner. The Board considered that the use of the word bum was appropriate in the circumstances and was not strong or obscene. The Board determined that the advertisement was not in breach of section 2.5 of the Code.

The Board noted concern about the use of children in an advertisement being likely to encourage pester power. The Board considered that this advertisement is directed to parents and that the provisions of the AANA Code for Advertising and Marketing Communications to Children did not apply. In any event the Board considered that the advertisement is unlikely to encourage children to suggest a particular product for their parents or carers to purchase.

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