



CASE REPORT

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| 1. Complaint reference number | 495/09 |
| 2. Advertiser | Unicharm (Baby Love nappies) |
| 3. Product | Toiletries |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6
Other - Social values |
| 6. Date of determination | Wednesday, 11 November 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a mother cleaning her baby, there is a stream of urine in the air and the caption "No. 1's" appears. The advertisement then cuts to the mother holding her baby in her arms and patting it gently on the bottom. The baby pulls a strained look and there is a noise ... the caption "No. 2's" appears. The next scene, the baby is shown in the back of a vehicle in a baby carriage. The mother begins to drive out of the driveway and the internal cabin is depicted having a brown explosion which adheres to the interior of the car. The voiceover says: "Only baby love new poo poo pouch can handle an explosion or No. 3's as we like to call it."

THE COMPLAINT

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

Do I need to elaborate any further! It is the lowest form of puerile schoolboy toilet humour. It is the embodiment of poor taste. I have a young child and use disposable nappies every day and I for one not only find it not funny, I find it grossly offensive. How do we expect to raise children with a modicum of taste if this juvenile rubbish is on TV. I have also worked in advertising/ media for many years and understand that any creative or copywriter who comes up with this is not only without any taste or decency they are also without any talent. Real talent gets over toilet humour by their 10th birthday! The sad thing is they think they are sooo clever. It's pathetic.

Mum's might "get it", but for the rest of us, this advertisement is just plain disgusting.

A faecal 'explosion' inside a 4wd is not something that ever happens, nor is it something anybody needs to see on their television at ANY time.

Surely they can advertise nappies without depicting an explosion of poo or showing a baby urinating. The ad is disgusting.

THE ADVERTISER'S RESPONSE

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

We understand that our campaign is somewhat different to what has been seen on TV screens before. Our dramatisation of the explosive poo is intended to be a humorous exaggeration of what can actually happen with a newborn or infant's runny poo. Our new nappy is specifically designed for newborns and infants to prevent a runny poo from escaping.

Addressing the specific area of complaint relating to Section 2 (2.6) of the AANA Code of Ethics:

'Advertising or Marketing Communications shall not depict material contrary to the prevailing Community Standards on health and Safety'

Every effort has been made to ensure that this campaign complies with the AANA Code Of Conduct and is something our consumers will enjoy, relate to and certainly non-offensive. Even provide some light relief. Afterall, we are talking to mothers of new babies. Nothing is more important to them. They are the most fastidious of consumers seeking every last detail when it comes to products relating to their precious bundle. Offend them at your peril.

Therefore, researching our campaign concept with consumers was a mandatory.

From our extensive independent qualitative research conducted by ACNielsen in May 2009 with 'real' Australian mums, we found many mums have experienced an explosive poo running up the back of the baby, escaping out the sides often covering the baby and indeed mum or dad. In their minds it's as if the poo has literally exploded all over them . It was this real life experience that we intended to dramatise in the advertising. They wanted us to tell the truth.

Below are verbatim quotes from Australian mums during the research (May 6-7 2009) relating their experiences with 'Poo Explosions':

" ... I was at the doctor's surgery and while I was talking ta the doctor, there was a big sound (from my baby) and poo was coming out everywhere. It was quite embarrassing because I didn't bring a change of clothes as we weren't going to be there for long ... "

" ... My daughter was naked in the backyard and my husband was nearby and (the pool was shooting out) and my husband started screaming ... "

" ... I went to a bar with a friend and my baby pooped. I went to change her and there was no where to put her so I had to change her on the floor ... "

" ... it was summer and my daughter was wearing just a nappy and sitting on the floor at home. She had a really runny poo and it was on the floor everywhere ... "

" ...I've had her on the change table with her nappy off and it will fly to the end of the change table ... "

" ... She was four months old and we were shopping. She was crying so I picked her up, and she had pooped all dawn her back, in the prom, everywhere ... "

" ... You can hear the wet explosion of fart and poo ... "

" ... You can feel it an your leg ... it's warm ... you can feel it bubbling away ... "

" ... It's a lot harder to clean up. Even if you find a change room, at home you can get a face washer and wipe her down ... "

" ... Sometimes it goes up the bock of their clothes ... "

" ... I open the nappy and I think it's not too bad, then I see it's gone all the way up to his neck you may as well give him a bath because it's so bad ... "

From our initial discussions with Australian mums, we then exposed the TV campaign concept to numerous mothers in a research environment to ensure it was suitable to be put on television. It was overwhelmingly endorsed by a cross section of Australian mums.

Below are verbatim responses to the advertising concept as tested in the research (May 6-7 2009):

" ... I thought it was funny, light-hearted ... "

" ... that was good quote. Mums can relate to that. .. "

" ... it was pretty funny, pretty catchy ... "

" ... I thought it was funny even though I have a girl and have never experienced it. .. "

"... the ad cracked me up unlike the Johnson and Johnson moments that don't exist..."

It was our intention to engage with mums who have experienced a newborn's poo explosion and provide some light relief. It was certainly not our intention to offend. We deliberately created the concept of 'Number 3s' to provide a shorthand reference for a poo explosion.

Sales results have indicated that consumers are voting at the cash register. Forums on mums' websites have also endorsed the advertising campaign as providing a light relief and genuine empathy.

Attached are scans from a cross section of forums including a direct response to Unicharm:

<http://forum.motherandbaby.com.au>

<http://www.australianbabyguide.com.au>

<http://forum.birth.com.au>

<http://social.kidspot.com.au>

The vast majority of consumers view the humour in the manner in which it was intended.

- *The Babylove Poo-Poo Pouch TV commercial has been nominated by B&T Magazine as one of 5 finalists in the 2009 TV Ad of the Year.*
- *It has also been nominated in the Top 10 "Funniest Commercials Of The Year" program in the USA.*
- *It has had over 24,000 hits on YouTube.*

I hope this demonstrates that every effort has been made to ensure we do not offend consumers or breach the AANA Code of Conduct.

Our sincerest apologies to those we have offended.

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 complainants' concerns that the advertisement was disgusting, and was in bad taste and unnecessary for television.

The Board noted the advertiser's response and that qualitative research derived from 'real mums' had been obtained prior to the making of the advertisement. The Board noted the verbatim comments from the mothers whom had been interviewed.

The Board considered whether the advertisement was in breach of section 2.6 of the Code. Section 2.6 of the Code states:

"Advertising or marketing communications shall not depict material contrary to Prevailing Community Standards on health and safety."

The Board considered the advertisement to be a light and humorous portrayal of a potentially embarrassing situation for many parents. The Board then considered whether the advertisement was in breach of current prevailing community standards in relation to the unpleasant suggestion in the advertisement. The Board noted that there is no depiction of actual poo in the advertisement and it is suggestion only that the car is filled with poo. The Board agreed that the advertisement was intended to be lighthearted and humorous and that most members of the community, in particular those who have had children, would not be offended by the advertisement. The Board considered that the advertisement did not depict any material that was in breach of any provisions of the Code and dismissed the complaints.

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