



CASE REPORT

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| 1. Complaint reference number | 497/09 |
| 2. Advertiser | Reckitt Benckiser (Mortein) |
| 3. Product | House goods/services |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Wednesday, 11 November 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a tribe of cockroaches walking down the pavement, the voiceover comments how they spread dirt and germs, protect your family with Mortein professional outdoor surface spray. "It arms you with the same protection as the professionals". A woman is depicted holding the spray and wearing gloves, the mask is on her chest. To stop pests from invading your home ... kills cockroaches and some spiders for up to three months.

THE COMPLAINT

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

My objection to this commercial is that the women has a face mask not over her mouth, but around her neck. It might look nicer , but that is not what it is about. OHS.

The add shows her with a dust mask around her neck not over her face. The ad does not say what protective clothing should be worn, and if a mask is required and more protective clothing than depicted in the Ad then this could lead to people being poisoned. It leads consumers to believe that no protective clothing is necessary. Most professional insecticides require extensive protective clothing. Should this be the case with this product and therefore depicted in this ad?

THE ADVERTISER'S RESPONSE

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

The complainants are concerned about how the woman in the advertisement is depicted using the product and whether she is wearing or using adequate protection.

The usage shown in the advertisement is consistent with the Safety Directions on the product label. The Safety Directions on the product label state "Do not inhale the mist when using the product. Avoid contact with eyes and skin. Cover nose and mouth if spraying areas above face height. Wear rubber gloves".

The woman in the advertisement is shown wearing rubber gloves when she uses the product. She is not standing close to the spray and is shown spraying away from her body, to avoid contact with eyes and skin. When she is shown spraying the product and her upper body and head are in view, she is spraying below face height. This is when she has a face mask around her neck 'at the ready' as a reminder that this type of protection is required in some situations when using the product.

We have taken care to demonstrate use in accordance with the safety directions in this advertisement. I do trust this answers your query. Please do not hesitate to re-contact should you

need more information in answer to the complainants' concerns.

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' concern that the woman depicted in the advertisement is shown not to be wearing a mask over her face whilst using the mortein spray.

The Board noted the advertiser's response that the woman in the advertisement is shown wearing rubber gloves when she uses the product and she is shown to be spraying below face height.

The Board viewed the advertisement and 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 noted the advertiser's response in particular the safety instructions that appear on pack. The Board considered that, unless required by legislation, it was not necessary for the safety instructions to appear in the advertisement but that it would be appropriate that an advertisement depicts a product being used in a manner consistent with any safety instructions.

The Board noted that in some shots, the woman is depicted wearing the mask on her chest, as if to indicate that she would be using it when required. The Board noted that at times there is spraying above head height but in those scenes there is no depiction of the woman's head or face and that in all other situations where the woman is depicted with the face mask around her neck she is depicted spraying at shoulder height and below. The Board considered that the advertisement does suggest that the woman is not wearing the mask when spraying above her head. However the Board considered that as there is no actual depiction of her spraying in a manner that goes against the safety instructions on the container that the advertisement does 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.