



## **CASE REPORT**

1. Complaint reference number	54/07
2. Advertiser	L'Oreal Australia Pty Ltd (Garnier)
3. Product	Toiletries
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 13 March 2007
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

In this television advertisement a young man with brown wavy hair is doing sit-ups in an exercise bench. Everytime he raises his head, a young woman moves a handheld hair removing roller across the cushion supporting his head, showing us an active hair loss. As we see the male taking a shower a bottle of Fructis falls into his hand. The man is then seen piloting a light aeroplane which lands in a field and is moved by a group of young people. The young woman is seen to grab the pilot by his hair, kiss him, then wave to him as he prepares to fly off.

## **THE COMPLAINT**

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

*Dangerous activity to stand in front of any aircraft with engine running.*

## **THE ADVERTISER'S RESPONSE**

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

*We believe that there is no issue with the Fructis TVC as the girl is clearly far enough away from the propeller.*

## **THE DETERMINATION**

The Advertising Standards Board (“Board”) considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the “Code”).

In particular the Board considered whether the advertisement breached Section 2.6 of the Code dealing with standards of health and safety.

The Board viewed the advertisement and noted the woman standing in front of the plane. The Board considered the assertion that the woman standing in front of the plane was against prevailing standards of community health and safety. The Board noted that the plane was stationary and the woman was safe distance from the plane. Hence the Board held that advertisement did not contravene prevailing standards of community health and safety.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.