



CASE REPORT

1. Complaint reference number	594/09
2. Advertiser	Reckitt Benckiser
3. Product	House goods/services
4. Type of advertisement	Outdoor
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Wednesday, 20 January 2010
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement from Reckitt Benckiser for its Aerogard product has large red writing at the top which say Don't give blood with a picture of a mosquito stinging the letter D of the word blood. Below the red words is a bottle of Aerogard and below the bottle are the words: Mozzies don't deserve your blood, people do.

THE COMPLAINT

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

This campaign is being advertised in bus stops, on television, and on radio over the summer months to the potential detriment of the Australian Red Cross Blood Service during its busiest period.

I have received the following advice from the products manufacturer, Reckitt Benckiser:

Don't give blood to the mosquitoes is the message, [sic] when the advertisement is read in full and not out of context, [sic] by just reading the larger print.

In response to my widely distributed letter of complaint (14 Dec 2009) to colleagues, friends, and family, a number of people advised me that, because of the ad, they thought there was something currently precluding people from giving blood at this time. In addition, not everyone who passes these advertisements has the ability or time to read them in full and within context. This combination is the basis of my complaint as it has the potential to greatly impact the work of the Australian Red Cross Blood Service.

Reckitt Benckiser's claim that the inference in the advertisement is intended to be that by using insect repellent Australians can save blood for more beneficial purposes, such as donating blood through the Red Cross is based on the assumption that all consumers would infer this. It is simply not the case.

In an article written in The Cairns Post (21 Dec 2009), the manufacturer subsequently advised that the tag line, Mozzies don't deserve your blood, people do affirms the manufacturers support of giving blood. It subsequently helps them to avoid contracting infections spread by mosquitoes, such as Dengue fever. This statement again assumes that a consumer would have read the tag line.

Reckitt Benckiser also stated, in response to my letter of complaint that they did in fact present the design concept of this advertisement to the Red Cross prior to the campaign launch. However, the Red Cross advised: we were approached (at the 11th hour) by this organisation in relation to their summer marketing plan and we did feedback our concerns in relation to the confusing and possibly damaging message relayed in the campaign material. Whilst the small caption 'mosquitoes don't need your blood, people do' was added, we were unable to convince the organisation to change

their campaign.

This campaign has elements of humour albeit out of proportion and badly designed; however, it is irresponsible and unnecessary to incorporate a slogan that is geared to negatively impact a life-saving service. I am seeking to have the campaign discontinued permanently. In support of this, I have started an online petition, which currently has 90 signatures.

<http://www.gopetition.com.au/online/32892.html>

I request the Bureaus consideration of my complaint.

I believe this ad sends a message contrary to prevailing community standards on health and safety. Given I was driving past the billboard, I did not have the time to properly comprehend the Aeroguard image and the second line of text. The main message of the ad, therefore, was not to give blood, this is inappropriate (and counter-productive for the Blood Bank!) particularly at a time of year when numerous major car accidents occur and blood is in high demand.

As a Blood Donor, and a strong supporter of blood donation, I was very shocked to see an ad apparently stating "Don't give blood" It was only when I was able to stop to read the ad that I realised it was advertising mosquito repellent.

While I understand the intended humour of the ad, the fact is that this ad will hurt the cause of blood donation, as many drivers passing by the bus stops will only be able to see the slogan "Don't give blood". This is a bad message to send, and it is contrary to the Blood Bank's message that blood donations are vital and always needed.

THE ADVERTISER'S RESPONSE

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

*We have carefully reviewed the complaints concerning the Aerogard Advertisements (together **Complaints**) and make the following comments about them:*

i. We take complaints about our advertising seriously, particularly where, as in the present case, the complainants claim that our advertising:

a. raises issues of health and safety; and b. could adversely impact on a highly valued organisation like the Australian Red Cross Blood Service (RedCross), with which we consulted in respect of the Aerogard Advertisements .

ii. We vigorously dispute the claims of the complainants and deny that the Aerogard Advertisements breach the AANA Advertiser Code of Ethics (Code), including in particular section 2.6. We are satisfied that the Aerogard Advertisements comply with the Code.

iii. Section 2.6 of the Code states: 2.6 Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

iv. The questions therefore are what are the Prevailing Community Standards on health and safety in the context of the advertising of products to repel insects and do the Aerogard Advertisements depict material that is contrary to those standards?

v. The term "Prevailing Community Standards" is defined in the Code to mean "the community standards determined by the Advertising Standards Board as those prevailing at the relevant time, and based on research carried out on behalf of the Advertising Standards Board as it sees fit, in relation to Advertising or Marketing Communications".

vi. The prevailing community standards on health and safety in the context of advertising of products to repel insects are difficult to specify and we are not aware of any specific research the Advertising Standards Board may have conducted on this subject. However, anecdotally, we believe that the community is used to, and accepts, some degree of facetiousness and/or humour in relation to this kind of advertising. For example, various former Aerogard advertisements involving the slogan "Avagoodweegend" fall into this category. We believe that the Aerogard Advertisements are of a similar nature, in that they begin with the attention grabbing statement

"Don't Give Blood" (with a mosquito depicted as drawing blood from the last letter "'D') and end with the words "Mozzies don't deserve your blood, people do." They are tongue in cheek in nature and were intended to invite Australians to protect against biting insects, like mozzies, that steal their blood.

vii. We do not believe that the nature of the Aerogard Advertisements are such as to suggest something dangerous, risky, inherently unsafe or inappropriate, in terms of health and safety, to ordinary members of the community. Nor do we believe that the advertisements "could adversely impact the Red Cross' efforts for getting people to give blood", "will hurt the cause of blood donation" or "discourages blood donors from giving blood." We say this because the statement "Don't Give Blood" is not presented in isolation but:

a. (As noted at vi above) with a mosquito depicted extracting blood from the letter 'D' in "BLOOD"; b. With a bottle of Aerogard prominently shown immediately under the statement, which is almost 3 times the size of the individual letters in the "Don't Give Blood Statement; and c. With the statement "Mozzies don't deserve your blood, people do" below the Aerogard bottle.

In these circumstances, we submit that it is unreasonable to suggest that people viewing the Aerogard Advertisements would understand that someone was seriously instructing them not to give blood to the Red Cross. Aerogard is a household name in insect repellents and we believe that the prominent inclusion of the bottle of Aerogard in the Aerogard Advertisements alone makes it clear that the blood giving in question is to mozzies. Indeed, independent market research has found that the level of consumer awareness of the Aerogard brand is 96% (Research International 2009). Even if a blood donor passing the Aerogard Advertisements in a car or bus did not take in the full advertisements, we believe that it is unreasonable to suggest that they would stop giving blood as a result of partially seeing the advertisements.

viii. As noted at i.b above, we did consult the Red Cross about the Aerogard Advertisements and the related radio advertising which contains the end line "Don't Give blood to mozzies. Buy Aerogard instead." We note the comments that have been attributed to the Red Cross in one complaint

A recording of a radio interview by Tim Webster of Cathy Boland of the Red Cross concerning the Aerogard Advertisements for the Board's information is available if necessary.

" ... Aerogard did approach us when they were devising the ad ... They sought some input from us and they did make some minor changes to the ad as a result of our input. In fact, interestingly enough Tim, the most interest we've had in relation to the ad has actually come from the media rather than donors."

. " and I suppose the only potential, if there is one for us, is that at least its making people think about blood donation and we're always looking for people to donate. "

ix. Given our comments above, we believe that the Aerogard Advertisements do not depict material that is contrary to the Prevailing Community Standards on health and safety and, in particular, would be unlikely to deter people from donating blood to the Red Cross.

x. In any event, despite our comments above and our denial that the Aerogard Advertisements breach the Code, we advise that the campaign featuring the Aerogard Advertisements has come to an end and we have no present intention of republishing or rebroadcasting the Aerogard Advertisements.

We request that the Complaints be dismissed.

THE DETERMINATION

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

The Board noted the complainants' concern that the advertisement has potential to undermine the important public health initiative of giving blood.

The Board considered whether the advertisement complied with clause 2.6 of the Code which

requires advertising and marketing communications 'shall not depict material contrary to prevailing community standards on health and safety.'

The Board viewed the advertisement and the context in which it appeared. The Board considered that the prominent headline "*Don't give blood*" would catch the viewer's eye and would be likely to make the person think that it was an advertisement or notice about the issue. However the Board was of the view that the text of the advertisement and the large image of the bottle of Aerogard would very quickly make it clear that the billboard is an advertisement for Aerogard. The Board noted that the accompanying text 'mozzies don't deserve your blood people do' and image of a mosquito on the billboard made it easy for a viewer to discern that the advertisement is in fact an advertisement for product not a message from the Red Cross or a blood donation organisation. The Board considered that some people would consider the billboard in bad taste, however considered that most people would be drawn to the billboard thinking it was a genuine notice and would then find the content amusing once they realised it is for a well known product.

The Board considered that as the Billboard is clearly an advertisement for Aerogardt is not depicting any material or suggesting any behaviour that is contrary to prevailing community standards on health and safety and does not contravene section 2.6 of the Code.

The Board determined that the advertisement did not breach any sections of the Code. Finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.