



CASE REPORT

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| 1. Complaint reference number | 6/07 |
| 2. Advertiser | Symbion Consumer (Betadine) |
| 3. Product | Health Products |
| 4. Type of advertisement | Print |
| 5. Nature of complaint | Violence Cruelty to animals – section 2.2
Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 13 February 2007 |
| 7. DETERMINATION | Upheld – discontinued or modified |

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement shows a pre-teen child holding under his/her arm, a fluffy cat. The cat is being held around the neck and looks very uncomfortable and longing for escape. Text on the page reads "This might hurt. The antiseptic won't". At the foot of the page is an image of the product and the words "Kills a wide range of germs and bacteria without the sting. Kiss it Betadine".

THE COMPLAINT

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

I am concerned about the message this ad, at a glance, sends out to children...Holding a cat in the position shown is cruel and can cause injury to the animal. It encourages animal cruelty.

THE ADVERTISER'S RESPONSE

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

This advertisement is a light-hearted depiction of a real life, every day scenario where kids can potentially hurt themselves. This light hearted approach neither suggests nor promotes risk taking or cruelty to animals and merely captures a slice of kids' life.

It is not our intention to promote cruelty to animals. At no stage during the photography was any animal harmed or under duress. The owner, who is a professional animal handler, was present at all times during the shoot to ensure the animal's safety and comfort was adequately catered for. (The cat) was given sufficient rest, food and water at all times, and went home happy and well at the end of the shoot.

The advertisement only appears in mainstream women's magazines targeted at Mums, where it would be unlikely to be viewed by children.

We would like to reinforce that at no time do we endorse or suggest that cruelty to animals is acceptable, in fact, the advertisement highlights that the depicted situation is in fact inadvisable and likely to lead to the injury of the child, thereby likely to impress upon parents the need to encourage proper animal handling techniques.

THE DETERMINATION

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

The Board viewed the advertisement and considered whether the advertisement breached Section 2.2 of the Code dealing with violence (in this case, cruelty to animals).

The Board agreed that the image depicted a cat being held in a way that could be considered cruel - an unintentional act of violence towards the animal. While the Board accepted the advertiser's explanation that the cat had been supported by someone in the photo-shoot who was later digitally removed, the Board felt that the resultant depiction provides an image of cruelty. The Board therefore agreed that the depiction contravened prevailing community standards on health and safety and hence breached Section 2.6 of the Code.

Finding that the advertisement did breach the Code on further grounds, the Board upheld the complaint.

ADVERTISER'S RESPONSE TO DETERMINATION

Previous to receiving your correspondence we had already made an independent decision to discontinue the use of this ad due to customer concerns, and thereby confirm it will not be published again. I would like to reiterate however that it was not our intention to promote cruelty to animals in any way nor was any animal harmed or under duress during the photography.