

Case Report

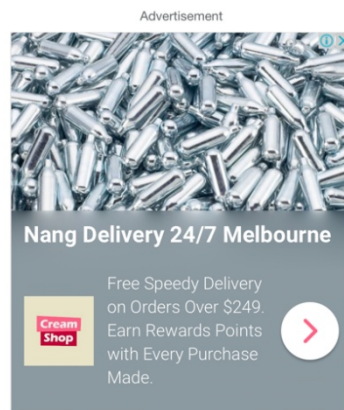
1. Case Number :	0065-24
2. Advertiser :	Cream Shop
3. Product :	Other
4. Type of Advertisement/Media :	Internet
5. Date of Decision:	20-Mar-2024
6. Decision:	Upheld – Not modified or discontinued

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This internet advertisement features an image of a pile of silver nitrous oxide cylinders and the text, "Nang Delivery 24/7 Melbourne".



THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

Cream Shop is advertising Nang bulbs in bulk and delivered in Melbourne on news site news.com.au going as far as to offer points on mass orders

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Advertiser did not provide a response.

THE DECISION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the website included material which would be against prevailing community standards on health and safety.

The Panel viewed the advertisement and noted the advertiser had not provided a response.

Section 2.6: Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.

The Panel noted that the product being sold contains nitrous oxide and is originally intended for whipping cream. The Panel noted that this product is often abused as a drug to induce a feeling of euphoria. The Panel noted that drug abuse of this kind can result in dizziness, confusion, and in some cases sudden death (<https://adf.org.au/drug-facts/nitrous-oxide/>). The Panel noted that "Nangs" is a slang term for nitrous oxide used in reference to the inhalation of the product.

The Panel noted that selling this product is legal, and it has an intended use which is not unhealthy or unsafe. The Panel considered that the advertiser is entitled to advertise its products. However, the Panel considered that if the business intended to target professional chefs and bakers with this advertisement, it would likely have referred to the product as cream chargers and used imagery of the product packaging or whipped cream.

The Panel considered that the picture of a pile of discarded cylinders, the use of the slang term "nang" and the promotion of speedy delivery for bulk purchases combined to provide a strong suggestion that people should buy this product to abuse it.

Overall, the Panel considered that the suggestion that this product should be used in a manner considered by most in the community to be unhealthy or potentially dangerous, amounted to a depiction contrary to prevailing community standards on health and safety.

Section 2.6 conclusion

The Panel considered that the advertisement did contain material contrary to Prevailing Community Standards on health and safety and determined that it did breach Section 2.6 of the Code.

Decision

Finding that the advertisement breached Section 2.6 of the Code, the Panel upheld the complaint.

THE ADVERTISER'S RESPONSE TO DECISION

The advertiser has not provided a response to the Panel's decision. Ad Standards will continue to work with the relevant authorities regarding this issue of non-compliance.