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| COMPLAINT NUMBER | 17/232 |
| COMPLAINANT | T King |
| ADVERTISER | Brand Developers Ltd |
| ADVERTISEMENT | Television |
| DATE OF MEETING | 11 August 2017 |
| OUTCOME | Settled |

Advertisement: The television advertisement for Brand Developers Airhawk showed the product being used to inflate various tyres, including a scene which used time-lapse photography.

The Chair ruled the complaint Settled.

Complainant, T King, said: In this advertisement the air hawk is shown inflating multiple products including a ball, wheelbarrow, car-tire.

It is no apparent and there is no information to advise that the footage shown in the advert is timelape or speedup. The advert is misleading in that it shows the airhawk can inflate the items above in less than 2 seconds which is factually incorrect.

The Advertiser, Brand Developers, said, in part: "...There is only one shot in the entire commercial that uses time-lapse... the wheelbarrow tyre inflation. This shot is not misleading... it is *obviously* time-lapse. This is why the viewer has noticed it. It is the only shot in the entire TVC that shows an object being pumped up from fully flat to fully inflated, and is shown at 20x normal speed. The purpose of the shot is to clearly show how little work is needed from the operator – it is a direct comparison to the previous shot of the owner struggling with the high-effort process of using a hand pump. No reasonable viewer would assume this was a real time shot – at 20x speed, it is obviously “out of kilter” with all other shots in the TVC.

NOTE: In the context of the full 120 second TVC, which features over 20 shots demonstrating the Airhawk in real-time, no reasonable viewer is likely to look at the single 2-second time-lapse demonstration and believe it to be the performance benchmark of the machine.

However, to prevent the chance of another viewer misunderstanding, we will add the disclaimer “**Time-lapse used**” to the wheelbarrow tyre-inflation shot.”

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 2;

The Chair noted the concerns of the Complainant the advertisement was misleading because it was not clear it used time-lapse photography to demonstrate the product which created misleading expectations for consumers.

The Chair noted the Advertiser said that only one scene in the advertisement featured time-lapse photography and there were many examples where the product was shown in real

time. However, to ensure the advertisement was unlikely to mislead consumers, it would include a disclaimer on the wheelbarrow tyre- inflation shot, to clearly identify the use of time-lapse photography.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in amending the website, the Chair said that it would serve no further purpose to place the matter before the Complaints Board. The Chair ruled that the matter was settled.

Chair's Ruling: Complaint **Settled**