

COMPLAINT NUMBER	20/345
COMPLAINT ON BEHALF OF	Recorders and Early Music Union (Inc)
ADVERTISER	Tasman Insulation
ADVERTISEMENT	Pink Batts Television
DATE OF MEETING	17 August 2020
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Pink Batts Silencer shows a man dressed in a 'Pink Batts' costume making sounds with a recorder. Through the wall from where he is, a woman appears to be listening for how much of this sound can be heard. The advertisement ends with the text "Pink Batts Silencer - Like volume control for interior walls & floors".

The Chair ruled there were no grounds for the complaint to proceed.

Complaint: The advertisement includes a recorder and makes use of the stereotype current in NZ that the instrument should not be taken seriously and should be an object for derision. It exploits and degrades the instrument and our efforts to promote it for artistic and recreational purposes. Related images are on the internet: <http://www.collectiveforce.co.nz/tcfnews/2020/4/27/simeon-patience-for-pink-batts>. The Recorders and Early Music Union provides education, opportunities to play recorders and concerts. Recorders are more than just instruments for teaching children the very basis music skills. The repertoire is extensive, ranging from early renaissance to contemporary works, and the instruments range from the familiar descant to sub-contrabasses.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c);

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

The Chair noted the Complainant's concerns the advertisement exploits and degrades the recorder.

The Chair acknowledged that a badly played recorder was being used as an example of a sound a consumer might want to muffle. The Chair said the recorder may have been chosen because it is often the first musical instrument that is taught to school children and, as a result, it is likely to be associated with unskilled technique.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the use of the recorder in this context was likely to cause serious or widespread offence in light of generally prevailing community standards.

The Chair said the advertisement did not reach the threshold to cause serious or widespread offence.

The Chair ruled the advertisement was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.