

COMPLAINT NUMBER	18/317
COMPLAINANT	H Cooper
ADVERTISER	Planet Fun
ADVERTISEMENT	LOL Surprise Dolls, In-store
DATE OF MEETING	28 September 2018
OUTCOME	Settled – advertisement changed

Advertisement: The advertising display stand for LOL Surprise dolls included a picture of a doll dressed in a leather jacket over bikini style top and pants with fishnet stockings and boots.

The Chair ruled the complaint was Settled.

Complainant, H Cooper, said: I believe the pictures shown on the attached display stand show a cartoon image of a young child (baby according to fun planet) dressed and posed in a sexualised manner. The cartoon child is wearing black shiny panties over black fishnet stockings, black shiny boots and a black shiny jacket over a crop top. The shiny black clothing gives the impression of being leather or vinyl.

I believe this is in breach the following code requirements:

Rule 1(f)

Advertising must not employ sexual appeal nor include sexual imagery.

Guidance Note:

Children or young people must not be portrayed as sexual beings nor that ownership or enjoyment of a product will enhance their sexuality.

Images and themes used in advertisements to children or young people must be age-appropriate.

The relevant provisions were Children and Young People Advertising Code - Principle 1, Rule 1(f);

The Chair noted the Complainant's concern the advertisement portrayed children in a sexualised manner and was not age appropriate.

The Chair confirmed that in-store display stands did fall within the definition of an advertisement as defined by the Advertising Standards Authority (ASA).

“Advertising and advertisement means any message, the content of which is controlled directly or indirectly by the advertiser, expressed in any language and communicated in any medium with the intent to influence the choice, opinion or behaviour of those to whom it is addressed.”

The Advertiser is a New Zealand owned toy distributor. The Chair acknowledged that following direct contact from the Complainant prior to the ASA's involvement, the Advertiser had changed its toy distribution earlier than planned. It had therefore replaced the display stand complained about, with new stands with different LOL doll characters, therefore removing the image which was of concern.

The Chair noted the Advertiser could not guarantee all display stands had been replaced, but said it was reasonable to expect this would happen over time as retailers replenished their stocks and received the new display stand. The Advertiser advised that they thought it unlikely the other stands were currently on display in-store.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in replacing the display stand, 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 – advertisement changed**

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 days of receipt of this decision.