

ASA slams Nokia for targeting children

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By Noor-Jehan Yoro Badat

Judgment day has arrived for a Nokia print advertisement when it was slapped with an Advertising Standards Authority (ASA) ruling for targeting children.

In August, Karl Muller - a technical radio expert and former physics lecturer - lodged a consumer complaint against a print advertisement that was put out by Nokia and appeared in a "Mindset Learn" booklet distributed with the Sunday Times TV magazine.

Muller said in his complaint that the advertisement, which declared "**Win! A Nokia 2300 & Starter Pack!**", showed two smiling teenagers with a cellphone and extolled such features of the phone as a built-in FM radio, polyphonic ringtones, "three exciting games" and animated screen-savers.

The advert read in part: "Are you looking for a fun and stylish way to stay in touch with your friends? The Nokia 2300's cool new design and features will make you the envy of everyone."

This, said Muller, "specifically targets viewers of the DStv Mindset Learn channel, which is aimed at teenagers from 14 years of age".

His formal complaint further argued that "it has, on a previous occasion, been suggested by the ASA that advertising for cellphones should not be aimed at children under the age of 16.

"This advertisement, however, has no indication that children under 16 should not enter."

Muller was quoted in the Pretoria News earlier this year as claiming that despite "warnings from eminently qualified and respected doctors and scientists that children should avoid cellphones, companies such as Nokia are aggressively targeting children and teenagers".

He said: "In the absence of any warnings or action from the South African medical or regulatory authorities, it is up to individuals to protect themselves and their children from becoming guinea pigs in what has been described as 'the biggest experiment ever on the human race - the bathing of entire populations in microwave radiation'."

Muller had told the ASA that a "deluge of clinical and scientific studies has shown that cellphone microwave radiation may be a severe health risk, particularly to children".

"The intention of this complaint," said Muller, "as with others I have lodged with the ASA, is to ensure that a clear and unambiguous ruling is made on this issue which the entire industry will be forced to acknowledge and abide by."

In Nokia versus Karl Muller, the ASA judgment found that the advertisement "therefore appears to appeal to children for non-essential purposes".

It then made the following main points:

- "It appears that cellphones are potentially dangerous to children"
- "The advertisement targets children"; and
- "It advertises cellphones for non-essential purposes".

In light of the above, the ASA said the advertiser was required to "withdraw the advertisement in its current format"; that "the process of withdrawing this advertisement must be actioned with immediate

effect"; and that it "must be completed within the deadlines stipulated in Clause 15.3 of the Procedural Guide". Finally, "the advertisement may not be used again in future".

For Muller, the judgment was a big victory.

"To the best of my knowledge, this ruling is the first acknowledgement by any authority in South Africa that there may be dangers, especially for children, in using cellphones," he said. "Not a single doctor has spoken up in this country about possible risks.

"The Advertising Standards Authority have correctly said that they are not in a position to adjudicate whether cellphones pose a health risk.

"But by adopting the precautionary principle employed by governments overseas they have done a great service to the public.

"Nokia, which has now been judged to have advertised to children, is exposing itself to possible huge claims for health damages, because kids now using their products will, without question, begin to manifest various forms of illness in the future, including attention deficit disorders, learning and concentration problems, and chronic fatigue."

Lindi Tshabangu, public relations and communications officer for RF Groups, Nokia's South African distributor, said the Mindset Learn channel had approached Nokia to sponsor the advert prizes.

"The advertisement was placed by Mindset, and we had been told that it was targeted for Grades 10 to 12," said Tshabangu.

"As a Nokia policy, we do not target children under the age of 16. When we received a complaint lodged to the Advertising Standards Authority over the advert, we immediately pulled the ad."