

# When Developing an Ad, Don't Flush Safety Considerations down the Toilet

Christie Grymes Thompson

March 31, 2014

At our recent seminar, [Views from Congress, Enforcers and Advocates: Special Advertising and Marketing Considerations Designed to Protect Children](#), we discussed the importance of safety considerations when developing an ad. These considerations can take many forms and are not limited to advertising for children's products – the claims may be about the safety benefits of the product or may depict the product in a safe or unsafe way. Some of these issues may never cross the minds of the marketers.

For example, Any Hour Services, an electric, heating, and plumbing service based in Utah, recently sent a mailer depicting a child playing with a rubber ducky next to an open toilet.



The ad featured special pricing for services like drain clearance and air conditioning inspection, not products or services intended for children. Nonetheless, the ad caught the attention of several local television stations and the parents of a 14-month-old boy who had died from massive brain damage after his head became submerged in a toilet bowl. The company reacted quickly, replacing the mailer with a revised one featuring a child next to a closed toilet. The company also announced a campaign to install a free child-proof latch with any plumbing purchase over \$50.

This ad serves as a reminder that, even when a marketer is not making a performance statement about its product and even when the product is not intended for children, safety concerns can get triggered, often creating public relations and even legal problems.