



COMPLAINTS BUREAU DECISIONS FOR YEAR 2007

No.	Date	Complainant	Respondent	Case Remarks	Decision of the Complaints Bureau
1.	January 2007	<u>J. Walter Thompson Sdn. Bhd. (JWT)</u>	<u>Caltex Oil Malaysia Ltd.</u>	<p>Submitted by J. Walter Thompson Sdn Bhd (JWT) representing Shell on a complaint against a TV commercial of Caltex's Techron fuel. The complaint relates to the use of the word or statements:</p> <ul style="list-style-type: none"><li>(a) "unbeatable" cleaning power of Techron;</li><li>(b) "optimizing" the energy from each drop of fuel;</li><li>(c) "so every tank of Caltex petrol with Techron can take you further"; and</li><li>(d) Questionable veracity of testimonial by a consumer.</li></ul> <p>The Complainant contends that the word or statements were spurious as the claims were made without qualification, an exaggeration, and it misleads the consumers.</p>	<p>The Complaints Bureau found that the said advertisement was not in breach of any provisions embodied in the Content Code. The advertisements which were puffery are subjective and non-quantifiable nature of the claim.</p>

No.	Date	Complainant	Respondent	Case Remarks	Decision of the Complaints Bureau
2.	March 2007	<b><u>Dentsu Young &amp; Rubicam Sdn. Bhd. (Y &amp; R)</u></b>	<b><u>Al-Meswak Mu'min Sdn. Bhd.</u></b>	<p>Submitted by Y&amp;R (representing Colgate Palmolive Malaysia Sdn Bhd). Complaint against Mu'min Toothpaste's radio (IKIM.fm) and television commercials. In the television advertisement, the graphic representation opens up with a scene just before dawn of a Muslim prayer house, a typical mosque with a minaret, thence the <i>Azan</i>, the Muslim public call for prayer. The next snap shows an alarmed man about to brush his teeth while the voice-over gave an admonition, to be wary of non-halal product and to use Mu'min's toothpaste for assurance.</p> <p>While this was being screened, JAKIM logo was displayed at the bottom right hand corner of the screen. The allusive form in which the advertisement uses religious symbols became the subject of alleged offence here. In the radio advertisement the whole contents became an issue.</p>	<p>The Complaints Bureau ruled that there was a breach of the Code in the radio commercial on IKIM.fm. Al- Meswak Mu'min to take note of the provisions of the Content Code concerning advertising and creation of content on the electronic networked mediums' aside from other advertising guidelines enforced in the country for their adherence in the future.</p> <p>The Bureau is of the view that the overall representation of the television advertisement did not in any way breach any of the provisions of the Content Code. Furthermore the advertisement lacks specificity as to invite comparative advertisement.</p>
3.	April 2007	<b><u>Received through the Malaysian Communications and Multimedia Commission (MCMC)</u></b>	<b><u>FLYFM</u></b>	Complaint on a radio station FLYFM licensed under Media Prima Berhad. had broadcast the lyrics of the song, 'Glamorous' by singer Ludacris which contained foul language.	<p>The Complaints Bureau had ascertained that the lyric of the song of the broadcast version which was submitted by the MCMC had contained foul language.</p> <p>The Bureau also found that the lyrics breached Part 2, Paragraph 2.1 of the Content Code under Indecent Content as being offensive, morally improper and against current standards of accepted behaviour.</p>

No.	Date	Complainant	Respondent	Case Remarks	Decision of the Complaints Bureau
4.	April 2007	<u>Received through the Malaysian Communications and Multimedia Commission (MCMC)</u>	<u>RED 104.9</u>	Complaint on broadcast of a program aired by RED 104.9 which discussed on a newspaper article with regard to the Police Force. Disparaging remarks was made by the deejays against the Police Force.	The Complaints Bureau decided that there was no case against the Respondent. However, the Bureau strongly advised that for future talk show discussions, a warning/caution should be announced appropriately in the event that the content of discussion may be regarded as offensive or contentious to certain sectors of the public since such matter touches sensitive issues.
5.	May 2007	<u>Received through the Malaysian Communications and Multimedia Commission (MCMC)</u>	<u>SURIAFM</u>	Complaint that the radio station Suria FM licensed under Rimakmur Sdn. Bhd. Had broadcasted the Indonesian Song <i>`Kepastian Yang Ku-Tunggu`</i> which contained alleged indecent words i.e. <i>'membutuhkan'</i> .  Reference was made to Dewan Bahasa dan Pustaka with regard to connotation of the abovementioned word in Bahasa Malaysia and Bahasa Indonesia. It was confirmed that while in Bahasa Malaysia the word connoted indecent meaning, yet in Bahasa Indonesia the word means <i>'memerlukan'</i> .	The Complaints Bureau found that the lyrics were not in breach of the Content Code and also the Communications and Multimedia Act 1998.  Since the word <i>'butuh'</i> did not exist in Dewan Bahasa dan Pustaka dictionary, the logical conclusion drawn was that it should be acceptable. The Indonesian meaning to the word was accepted as the official meaning.
6.	May 2007	<u>Received through the Malaysian Communications and Multimedia Commission (MCMC)</u>	<u>StarRFM</u>	Complaint on the radio station 988 licensed under Star RFM in March 2007. The talk show had discussed on the issue of pregnancy and abortion.	The Complaints Bureau decided that there was no case to deliberate against the Respondent. However, the Bureau strongly advised that for future talk show discussions, a warning/caution should be announced appropriately in the event that the content of discussion may be regarded as offensive or contentious to certain sectors of the public since such matter touched on sensitive issues.

No.	Date	Complainant	Respondent	Case Remarks	Decision of the Complaints Bureau
7.	June 2007	<u>Natseven TV Sdn. Bhd.(NTV7)</u>		Complaint by NTV7 on hate e-mails was submitted to the Complaints Bureau in June 2007. The complainant requested the Complaints Bureau to investigate the senders' motive of requesting advertisers to stop advertising on NTV7. Another complaint was also made to MCMC Central Regional Office and a police report was also lodged.	The Complaints Bureau concluded that the case should end with the police report made by NTV7 on the matter and there was no further action required by the Bureau.
8.	July 2007	<u>Clorox (Malaysia) Sdn. Bhd.</u>	<u>Reckitt-Benckiser (M) Sdn. Bhd.</u>	Clorox alleged that Reckitt Benckiser (Malaysia) Sdn. Bhd.'s advertisement denigrated 'Clorox Bleach' when comparison were made against bleach products generally and affected the integrity of 'Clorox Bleach'.	The Complaints Bureau found this complaint was substantiated. The Respondent was found to be in breach of Part 3, Paragraph 4.1 [xiv] of the Content Code.
9.	July 2007	<u>Reckitt-Benckiser (M) Sdn. Bhd.</u>	<u>Clorox (Malaysia) Sdn. Bhd.</u>	Reckitt Benckiser (Malaysia) Sdn. Bhd. had raised an argument against Clorox Company for comparing 'Clorox Bleach' against a pink coloured container bottle which was similar in shape and size to that of 'Vanish, In-Wash Stain Remover', though the label was not attached but an alphabet 'X' was written on it.	Upon further deliberation on the matter, the Complaints Bureau has not found sufficient evidence to substantiate the complaint. Henceforth it was dismissed.
10.	September 2007	<u>Received through the Malaysian Communications and Multimedia Commission (MCMC)</u>	<u>Mykakis. Blogspot. com</u>	Assessment on content on mykakis.blogspot.com whether it is acceptable under the Content Code or not. The blog basically discussed on sex education and also attempted to provide free spirited sex forum.	The Complaints Bureau found that the content was in breach of the Content Code under General Principles and Part 2 Paragraph 2. The Bureau also suggested that the blog should be restricted from the Internet.

No.	Date	Complainant	Respondent	Case Remarks	Decision of the Complaints Bureau
11.	December 2007	<u>En. Rizal Mohd.</u>	<u>Celcom (M) Berhad</u>	The Complainant had sent an e-mail to Celcom with copy to CMCF secretariat informing that the Complainant had received a SMS message that the complainant had won RM 20,000 from a contest.	The Complaints Bureau forwarded the matter to Celcom as service related matter did not fall under CMCF's purview.
12.	December 2007	<u>Mr. T L Tan</u>	<u>RHB Bank</u>	Complaint on RHB Bank with regard to Online Banking Service which was also copied to CMCF. The Complainant had sought explanation from the bank but there has been no response.	The Complaints Bureau advised the Complainant to refer the matter to the Complaints Unit of Bank Negara Malaysia as the appropriate regulators for the banking industry.