



Case Report

1	Case Number	0058/13
2	Advertiser	Australian National Preventive Health Agency
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	27/02/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.5 - Language inappropriate language

DESCRIPTION OF THE ADVERTISEMENT

The TV advertisement 'The Wait' is set in a doctor's waiting room. It shows a male smoker who waits anxiously to get his test results confirmed. The audience hears the thoughts running through his head. "What does a shadow on the lung mean?". "Don't let it be cancer". "Why didn't I quit?". The tagline is: Don't wait until it's too late.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

I was offended by the language used in this advertisement. I feel, the statements, "What the hell is a shadow on the lung?" and "Why are they taking so damn long?" thought (spoken) by the man in the ad contain inappropriate and unnecessary language. Specifically the use of the words hell and damn in these phrases I find offensive.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

The Australian National Preventive Health Agency maintains that the National Tobacco Campaign advertising material is consistent with the AANA Advertiser Code of Ethics,

particularly in relation to Section 2.

The Australian National Preventive Health Agency's National Tobacco Campaign licensed this commercial from Quit Victoria to include in the recent campaign's national media activity.

The objective of the 'Wait' television commercial is to motivate smokers to quit now rather than wait for a warning sign that smoking is damaging their health, to increase awareness of the health consequences of smoking, and to encourage smokers to reflect on their own smoking and health. The commercial also provides an avenue to quit smoking through the Quitline 13 7848 service.

Considerable care was taken to ensure depictions within the campaign are medically accurate and resonate with smokers. Prior to telecast, the 'Wait' television commercial was updated with the new graphic health warnings required on cigarette packs and underwent further research with smokers and recent quitters on its effectiveness prior to the commercial's inclusion in the National Tobacco Campaign media activity. The commercial aims to educate smokers and recent quitters and ensure the campaign reaches the key target audience with its important quit smoking message.

Concept testing research found the 'Wait' television commercial had an emotional impact across the audiences and was generally described as 'thought provoking' and 'emotive'. The commercial felt different to other anti-tobacco ads that they had seen previously and was perceived as very relevant to many respondents. The commercial is highly emotive when the viewer engages emotionally with the advertisement. The research did not identify any issues with the language used in the advertising.

The National Tobacco Campaign is relevant to the entire community. Tobacco smoking is the single largest preventable cause of death and disability in Australia, accounting for approximately 15,000 deaths per annum. All non-smokers are potential smokers or potential victims of passive smoking. The campaign aims to contribute to a reduction in the prevalence of daily adult smoking to 10% or less by 2018.

The commercial was submitted by the media agency to Free TV Australia who determined the General/Care in Placement classification rating. The classification allows the commercial to be broadcast at any time except during P and C programs or adjacent to P or C periods. ANPHA's master media agency, Universal McCann, worked with all television networks to ensure care was exercised when placing in programs likely to attract a substantial child audience. Over the summer period, the National Tobacco Campaign ran national television across all networks.

All Australian Government campaigns are subjected to a mandatory approval process and comprehensive research program to determine appropriateness, resonance and effectiveness of message with the target audience. Campaign materials are also reviewed by the Legal Services Unit, Department of Health and Ageing, to ensure the materials comply with all relevant laws in respect of broadcast and media.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainant's concern that the advertisement features offensive and inappropriate language.

The Board viewed the advertisements and noted the advertiser's response.

The Board considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided”.

The Board noted the advertisement features the phrases, “What the hell is...” and “..so damn long”.

The Board noted that these phrases are spoken by the man so as to reflect his thoughts and that they are spoken in a manner which highlights his frustration but are not aggressive or aimed at anyone else.

The Board considered that the phrases, “what the hell” and “so damn long” are common phrases in the Australian vernacular and that most members of the community would agree that they are relatively mild and used in a manner in the context of this advertisement which is consistent with accepted usage.

The Board considered that the advertisement did not feature any language which would be considered inappropriate, strong or obscene.

The Board considered that the advertisement is compelling and may be distressing to some people at the notion of a young father potentially having cancer. The Board considered that the advertisement is not gratuitously emotive and that the important public health message justified the context.

The Board determined that the advertisement did not breach Section 2.5 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.