



Ad Standards Community Panel
PO Box 5110, Braddon ACT 2612
P (02) 6173 1500 | F (02) 6262 9833

AdStandards.com.au

Ad Standards Limited
ACN 084 452 666

Case Report

1. Case Number :	0038-21
2. Advertiser :	Brand Developers
3. Product :	Beauty Salon
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	24-Feb-2021
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This television infomercial is for magnetic eyelashes. It features various women using the product successfully, or an alternative product unsuccessfully. At one point the advertisement shows a woman without fake lashes and then with, and the voice-over states, "lashes that can take your eyes from boring to beautiful in just seconds".

THE COMPLAINT

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

This advert is for magnetic eyelashes. During the advert a woman with natural eyelashes was referred to as BORING and straight after a woman with magnetic eyelashes was referred to as BEAUTIFUL. I do not believe this is healthy standard to set for any woman, particularly young women, who are the target of this advert, that are being told their natural lashes are "Boring" and that by purchasing magnetic eye lashes they make them/are "beautiful". this advert needs to be reconsidered to align with community standards with consideration for the social and psychological impacts that this is having on the women in our community.

THE ADVERTISER'S RESPONSE



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

Ad Standards have indicated that the advertisement may not comply with code 2.6: 2.6 Advertising shall not depict material contrary to Prevailing Community Standards on health and safety.

In response to these concerns Brand Developers is clear that this advertisement does not break any health and safety laws, which appears to be the primary concern of code 2.6. In support of this we refer the panel to the Ad Standards' Blog "The law reflects prevailing community standards on health and safety": <https://adstandards.com.au/blog/law-reflects-prevailing-community-standards-health-and-safety>

The advertisement does what is common practice for advertisers of cosmetic products, namely it contrasts a before and after look to show the efficacy of an advertised product. The reference to "boring" and "beautiful" is with respect to the eyes only and offers a way of contrasting the before and after effect of using the product, namely magnetic eye lashes. The panel will also note that the shots referred to by the complainant are at 00:21 – 00:23, a duration of 2 seconds within a 120 second advertisement, giving these contrasting shots very little airtime.

THE DETERMINATION

The Ad Standards Community Panel (Panel) considered whether the advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concerns that the advertisement does not set a healthy standard for women by referring to natural lashes as boring.

The Panel viewed the advertisement and noted the advertiser's response.

Section 2.6: Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

The Panel noted the Practice Note to Section 2.6 which includes:

"BODY IMAGE: Advertising must not portray an unrealistic ideal body image by portraying body shapes or features that are unrealistic or unattainable through healthy practices. Unrealistic ideal body image: Advertising that provides an unrealistic ideal body image by portraying body shapes or features that are unrealistic or unattainable through healthy practices, which is not justifiable in the context of the product or service being advertised, will be contrary to prevailing community standards relating to health and safety.

An unrealistic ideal body image may occur where the overall theme, visuals or language used in the advertisement imply that:



- *a body shape, or feature, of the kind depicted (e.g. very thin or very muscular) is required to use the product or service or to participate in an activity associated with the product or service;*
- *those people who do not have a body shape, or feature, of the kind depicted cannot use the product or service, or participate in a particular activity; or*
- *those people who do not have a body shape, or feature, of the kind depicted should alter their body shape, or features, before they can use the product or service, or participate in a particular activity.*

An unrealistic ideal body image may also occur where models are depicted in a way that:

- *promotes unhealthy practices*
- *presents an unrealistic body image as aspirational; or*
- *is reasonably likely to cause pressure to conform to a body shape that is unrealistic or unattainable through healthy practices (such as diet or physical activities), unless such depictions are justifiable in the context of the product or service advertised.*“

The Panel considered that the women depicted in the advertisement appear to be fit and healthy and do not have body shapes that are unrealistic or unattainable through healthy practices.

The Panel considered that the advertisement is for fake eyelashes and it is reasonable for the advertiser to promote their product as being used, and the use of fake eyelashes would not be considered by the community to be an unhealthy practice.

In particular, the Panel noted the section of the advertisement which refers to the woman's natural lashes as 'boring'. The Panel considered that the advertisement was using the word 'boring' to compare everyday natural eyelashes to the product, and was not making a direct comment on the woman's appearance. The Panel considered that the woman herself was not being referred to as 'boring' and there was no suggestion that she was not beautiful.

In the Panel's opinion there is no suggestion that a person's worth or value is related to their body shape or features and the overall advertisement does not promote an unhealthy or unrealistic body image.

Section 2.6 conclusion

The Panel considered that the advertisement did not contain material contrary to Prevailing Community Standards on health and safety and determined that it did not breach Section 2.6 of the Code.

Conclusion

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