



Case Report

1	Case Number	0050/12
2	Advertiser	Australian National Preventive Health Agency
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	22/02/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to children
- 2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement 'Bronchoscopy' opens with the sound of heavy wheezing breathing of a patient with an airway obstructed by a tumour. A doctor appears on screen explaining "Sometimes you can hear lung cancer in smokers before you see it." The next scene shows a tube (bronchoscope) inserted down the sedated patient's throat as the doctor continues "That whistling noise, it's the air racing around...the lung cancer almost completely blocking an airway". An internal shot of the tumour being investigated is shown as the doctor concludes "By the time most lung cancers are discovered... it's already too late to operate." Words appear on the screen 'Every cigarette brings cancer closer'.

THE COMPLAINT

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

My 5 and 6 year old children were watching a family program Young Talent Time in a 6:30pm time slot and were confronted by this harrowing image. My daughter was distraught and would not return to watch the television again for fear of having to watch such a graphic advertisement again. She kept asking why the doctors were hurting her etc. I did explain and she knows the importance of not smoking however I strongly believe these types of ads are

not suitable during family programming. She has gone to bed quite distressed and I ask that these types of ads are not aired during shows that young children will be watching. There are a great deal of these commercials being broadcasted on TV in print including buses and billboards across the state - these may be national I am not sure. They cover a range of topics including driving a car drinking beer smoking going outside in the sun...etc All of these are portrayed as being life threatening. Drive a car you will crash die drink a beer you will get in a fight and die smoke and you will die go in the sun and you will die - all portrayed in graphic and confronting unnecessary mock up's of real life using actors and in some cases dead people's family members.

My point is none of these hobby's/pastimes/recreations...whatever they are considered are illegal or immoral yet we are subjected to these horrific ad's every time the TV is on or we venture outside or open a magazine. These ads are excessive and contradictory to the basic freedom as citizens of a free and democratic society. We are free to choose.

This particular ad is the worst it is offensive to any who has ever been diagnosed with potentially fatal condition whether or not smoking is the cause - there are plenty of people all over the world who have smoked and not died. It is vile and totally demonizes a perfectly legal product. All these ads demonize products and pastimes that are legal and as adults and members of a free and democratic society we are free to choose whether or not we would like to consume/drive/sit outside...etc I consider these ads an attack on my right to choose and or use legal and freely available products and pastimes.

I find this horrifying I cannot imagine this being a bona fide medical examination. To the best of my knowledge people who have invasive tests are given a mild anaesthetic. I turn to another channel while it's showing. I don't understand what is happening here and I need to. I agree with the message that smoking causes cancer. I need someone to explain why the woman is suffering.

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I agree with the message that smoking causes cancer. I need someone to explain why the woman is suffering.

The advertisement was graphic and shocking and it appeared when I was eating.

To show close ups of oozing cancerous body parts and play a dying person's gasping breath to an audience not accustomed to or expecting it is cruel and unjustified. This experience left me physically and emotionally upset. I've never smoked in my life.

My nearly four year old daughter saw the ad on TV and was very traumatised by what was happening to the woman receiving the bronchoscopy. I tried to explain that she was sick and the doctor was just putting a camera down her throat to have a look. This just raised more questions than answers. The woman on the bed when she is receiving the camera shakes which was the catalyst and XXXX turned to me and said "that is a bit scary ad". I think it is a bit graphic for daytime TV considering the target market for this ad is for adults and therefore should be shown during later time slots. I don't think the ad should be pulled just put into a better time slot. Thanks for your time.

THE ADVERTISER'S RESPONSE

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

The 'Bronchoscopy' television commercial has been classified with a rating of Parental Guidance Recommended (PG). Universal McCann worked with all networks to exercise care in the placement of the commercial and to avoid placement in and around children's programming.

Comments in relation to the complaint

The Australian National Preventive Health Agency believes that the National Tobacco Campaign advertising material is consistent with the AANA Advertiser Code of Ethics, particularly in relation to Section 2.

In developing this campaign, due care has been taken to present facts in a responsible and appropriate manner, having regard for the target audiences for whom the advertising is directed. As well as smokers, the target audience includes the general community (including smokers' families) and smokers vulnerable to relapse. Considerable care was taken to ensure depictions within the campaign are medically accurate and resonate with smokers.

The objectives of the 'Bronchoscopy' television commercial are to: motivate smokers to quit now rather than wait for a warning sign that smoking is damaging their health; increase awareness of the health consequences of smoking; encourage smokers to reflect on their own smoking and health; and provide an avenue to quit smoking through the Quitline service.

The television commercial focuses on a well-established health consequence of smoking – lung cancer. Based on a case history, it delivers important information to smokers by showing what an advanced lung cancer looks and sounds like. In the commercial, the source of the whistling sound is exposed and explained, revealing that lung tumours that are found at this late stage are often too late to operate on.

The Cancer Institute NSW, which developed the advertisement, conducted research with smokers prior to implementation to ensure that the advertising resonated with smokers. The results of their campaign evaluation also demonstrated that the advertisement achieved high recognition among smokers and recent quitters. Though confronting, smokers acknowledged the advertisement is still worth watching. The commercial scored very high on believability and there was an increase in the calls made to the Quitline service (in 2009) when that campaign aired in NSW.

The advertising tagline on the television commercial 'Every cigarette brings cancer closer' addresses the fact that smoking is a leading cause of cancer. The campaign does not propose that smoking is the only cause of cancer rather that it increases an individual's risk of developing cancer. This commercial has undergone further research with smokers and recent quitters on its effectiveness prior to the commercial's inclusion in the National Tobacco Campaign media activity.

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.

Advertising agency and media buyer details

The advertisement was developed by creative agency The Campaign Palace for the Cancer Institute NSW. The Australian National Preventive Health Agency has licensed this advertisement from the Cancer Institute NSW for the 2012 national campaign media buy.

The media buyer is the Commonwealth's master media agency Universal McCann.

Additional material - agency and/or legal advice received
Campaign advertisements are subjected to a comprehensive research program to determine appropriateness, resonance and effectiveness of message with the target audience. Materials are 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 complainants’ concerns that the advertisement has graphic images and is unsuitable for viewing by children.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement was in breach of section 2.3 of the Code. Section 2.3 of the Code states: “Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised”.

The Board noted that the advertisement - ‘Bronchoscopy’ depicts scenes of a tube (bronchoscope) being inserted down the throat of a patient as a doctor explains the symptoms and likely outcome of lung cancer and smoking.

The Board noted the complainants’ concerns that the images used in the advertisement are graphic and alarming to children and viewers alike.

The Board noted community concern about depictions of graphic images in the context of violence and also noted that the advertisement was given a ‘PG’ rating and that it has been aired in the appropriate time zones.

The Board noted the advertiser’s response that the advertisement aims to increase awareness of the dangers of smoking by showing a real life situation that smokers, the general community and smokers vulnerable to relapse can relate to, and at the same time highlight an important message about the harmful effects of smoking.

The Board considered that the value of the anti-smoking message contained in the advertisement outweighed any distress it may cause to some viewers and the depiction was therefore justified in the context of that message.

In the Board’s view the advertisement presents violence in a manner that is justifiable in the context of the product being advertised. The Board determined that the advertisement did not breach section 2.3 of the Code.

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

