



ADVERTISING
STANDARDS
BUREAU

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Case Report

1	Case Number	0058/14
2	Advertiser	Cancer Institute of NSW
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	26/02/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.3 - Violence Community Awareness
- 2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

The advertisement shows a woman named Terrie, aged 51 years old, who was diagnosed with throat cancer caused by her smoking. She reveals her daily routine of getting ready; like putting false teeth in, putting on a wig and inserting her hands free device into a hole in her throat.

THE COMPLAINT

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

I am all for anti-smoking campaigns and for warning people of the health risks of smoking but I found the shocking nature of this commercial appalling. It made me feel light headed and sick and I found it completely disturbing and unnecessary. I smoke occasionally and I am in the process of quitting but that advertisement made me so distressed I felt like I needed a cigarette. Many smokers smoke because they find it difficult to deal with stress, and this commercial is absolutely appalling targeting these people and inflicting even more stress. It was disgusting. It would be nice to be able to turn on the television and relax in my own home without these horrible campaigns upsetting me. My partner is not a smoker and he was also extremely upset by it. What is worst is that we don't have a choice whether we want to view this or not because it is on a national television channel with no prior warning. It's not like it is on the internet and has to be searched for.

Stress is also a major cause of cancer and this advert is inflicting stress on many viewers. If

necessary I can make a petition to support my claim. I am extremely unhappy with the content of this advertisement. It is very graphic and unhelpful, and contributing to stress and potentially stress related cancers.

I would appreciate it if you have this commercial removed from television and possible restricted to online advertising where people have a choice to search for it. I am also happy to consult a lawyer if necessary.

Smokers are people too, and those who are still struggling with stress or struggling to quit should not have to be subjected to commercials like that.

THE ADVERTISER'S RESPONSE

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

Terrie launched on 9 February on Free to Air TV across NSW and will run till 22 March 2014. The advertisement will also run on SBS with Arabic and Chinese subtitles till 29 March 2014. This television advertisement was developed by the United States Centers for Disease Control and Prevention and adapted for use in Australia. Other media includes online video, outdoor and digital advertisements.

The advertisement, referred to in the complaint is a 30-second television commercial that has an M CAD rating and CAD reference number of MZ2SDGOE. It should be noted that in consultation with CAD, amendments were made to the television commercial to re-classify it with a PG CAD rating and CAD reference number of PZ3COGOE. This was effective from 12 February 2014 at 12pm. The advertisement shows a woman named Terrie, aged 51 years old, who was diagnosed with throat cancer caused by her smoking. She reveals her daily routine of getting ready; the real life consequences of her smoking. While the images are confronting, they are not intended to cause distress. It is however, important to inform adult smokers of the causal relationship between smoking and throat cancer. There is strong evidence to support this, identified as early as 1964i. The call to action reminds smokers that smoking causes immediate damage to their health and promotes the two state-wide quit smoking support services; Quitline and the iCanQuit website.

Tobacco is the largest cause of preventable death and disease in our community. Smoking increases the risk of many cancers and 20% of all cancer deaths in NSW are caused by smoking. The cost to the NSW community as a result of tobacco smoking in 2006/07 was estimated conservatively at \$8.4billion. An economic appraisal has also been conducted on the Institute's anti-smoking mass media campaigns, demonstrating a benefit-cost ratio of between 6.6:1 and 19.1:1. Even on the most conservative basis, this result demonstrates the cost effectiveness of these campaigns in NSW and the magnitude of the social cost savings. Trying to change behaviours where addiction is involved is an enormous challenge. We know from research that it is important to demonstrate that smoking has immediate health consequences and that there is an immediate need to quit rather than sometime in the future. In this, we have followed a similar approach in other smoking cessation campaigns.

The research carried out for the National Tobacco Campaign, for example, shows that advertising that is credible, personally relevant, provides new information and evokes a strong visceral response, encourages smokers to put quitting on 'today's agenda'. It also helps ex-smokers stay quit and importantly, discourages non-smokers from starting. Evaluation also found that the number of calls to the Quitline strongly reflected television TARP (target audience rating points) weights. When television advertising activity ceases,

call volume to the Quitline generally drops to pre-campaign levels.

Furthermore, there is strong evidence that emotionally intense messages emphasising the negative health effects of smoking using testimonials consistently perform better (lead to higher ratings, more Quitline calls, higher quit rates) than advertisements generating lower levels of negative emotion .

As per the Australian Association of National Advertisers code of ethics, I do not believe this advertisement is in breach of Section 2 (Consumer complaints):

2.1 The advertisement does not portray people or depict material in a way which discriminates against or vilifies a person or section of the community. Terrie has volunteered to share her daily experience with smoking-related throat cancer to motivate others to quit smoking now. It is an honest account of her daily routine.

2.2 The advertisement does not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people. There are no scenes within this advertisement of that nature.

2.3 The advertisement does not present or portray violence. While this complaint refers to Terrie breaching section 2.3 of the code of ethics, violence infers the use of physical force against oneself or others. Terrie is sharing her personal story of the physical consequences of throat cancer caused by her smoking but this was not due to violence towards herself or others.

2.4 The advertisement does not include any sexual/nudity scenes.

2.5 The advertisement does not contain any inappropriate or obscene language.

2.6 The advertisement does not depict material contrary to Prevailing Community Standards on health and safety. The Terrie advertisement does not contain references to unsafe behaviour. In fact, the advertisement acts to discourage people to smoke and motivate smokers to quit. Tobacco use is a public health issue.

Since 2003 NSW has experienced an approximate 5% decline in smoking prevalence . This is due to a comprehensive tobacco control response of which these kinds of campaigns are an important element. However, while these declines are positive, there are still over a million smokers in NSW. This decline in smoking can in part be attributed to increased funding toward tobacco control, including smoking cessation campaigns. To sustain this level of decline, it is necessary to continue to prompt and remind smokers of the need to quit.

I hope that the Advertising Standards Bureau will appreciate that this campaign is helping to educate smokers on the dangers of smoking. By quitting now, smokers can significantly decrease their risk of smoking-caused diseases and make a change to improve their health.

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 concerns that the advertisement depicts images that are graphic and disturbing and not appropriate for viewing on television.

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 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 features a woman named Terrie showing the viewer her routine of getting ready each day. This includes putting in her dentures, putting on her wig and then inserting her hands free device into her throat so that she can speak and be heard.

There is a call to action reminding smokers that smoking causes immediate damage to their health and promotes quit smoking support services; Quitline and the iCanQuit website.

The Board noted the advertiser's response that the advertisement complied with Commercial Television Industry Code of Practice and the advertisement was classified with a "M" rating and only appears in the appropriate timeslots for the rating given.

The Board agreed that the images displayed in the advertisement were confronting, in particular the image of the hole in her neck and then putting her hands free device into her throat.

The Board considered however, that the images of the woman are relevant to the important public health and safety message that the advertisement is attempting to convey. In this case and considering the 'M' classification, the Board considered that the graphic nature of the images was justified by the important public health message.

The Board noted that it had previously dismissed an advertisement for the Cancer Institute of NSW (ref: 0312/12) which showed a man on an operating table about to have his gangrene foot removed.

In this case the Board determined that "showing of such images was confronting and could be distressing to some viewers. The Board considered that the images gave the advertisement greater impact, and that this was justifiable by the significant message being advertised."

Consistent with the view above, the Board considered in the current case, that the broadcast of this advertisement in a television environment was not inappropriate and was not inappropriately graphic considering the important public health message that the advertiser is endeavouring to communicate.

The Board considered that most members of the community would be in support of the message being advertised in this manner for the benefit of the community as a whole and 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 complaints.