



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0058/19
2	Advertiser	Molemap
3	Product	Health Products
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	06/03/2019
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.2 - Objectification Degrading - women
- 2.2 - Objectification Exploitative - women
- 2.4 - Sex/sexuality/nudity S/S/N - nudity

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features a close-up of a woman on a sunbed. As the camera pans up towards her face a voice over states, "If you've ever been on a sunbed or been badly sunburnt, what are the chances you could have melanoma? Get a Molemap". As this happens question marks appear on the moles on her shoulder.

THE COMPLAINT

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

The camera pans across a naked female's body with specific highlight on her moles. She is lying on her stomach and the camera shows the side of her breast briefly. As a young woman, it offends me that something as serious as moles are displayed on a naked female. It feels that woman are being sexualised through this. There is no reason for this woman to be wearing nothing. I have also seen this ad around 6/7:00,



when young children are in front of the TV. What is it teaching young boys to see women on tv who clearly are not wearing clothing and lying down? I am honestly disgusted, if this is allowed without consequence- how much worse will it get?

THE ADVERTISER'S RESPONSE

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

A description of the Advertisement

This is a 15sec advertisement promoting our Molemap melanoma detection/diagnosis service.

It depicts a close-up of a woman on a sunbed lying on her front.

As the camera pans up towards her face it says, "If you've ever been on a sunbed or been badly sunburnt, what are the chances you could have melanoma? Get a Molemap" as this happens question marks appear on the moles on her shoulder.

CAD rating

W classification which means 'warning'. It means that it may be broadcast at any time except during P (parental guidance) and C (children's) programs or adjacent to P or C periods. When buying media our agency and the networks add an extra layer of care especially on channels such as GO! and 7Flix. As a rule of thumb our agency avoids kids programming wherever possible.

Your comprehensive comments in relation to the complaint (taking into account the need to

address all aspects of the advertising codes).

Molemap has been operating in Australia for since 2005.

This 15sec advertisement was created by our Molemap team in New Zealand many years ago and has been running in Australia (mainly Victoria) for approximately 4 years without complaint or concern.

A woman was chosen because we know that they are usually the decision maker when it comes to health decisions for themselves, their families and male partners (if they have one).



Australians often have a mole of concern but they don't do anything about it. Even though they may have been badly sunburnt or used a sunbed/lounge in the past, like the ad depicts.

2.4 – Regarding nudity – One place where many Australians get sunburned is at the beach, when they are typically wearing little to nothing. Therefore, we don't believe it is unreasonable that a melanoma detection advertisement depicts a person in this state. In addition, users of solarium/sunbeds (now outlawed) were typically asked to remove most or all of their clothing for a sunbed session. Therefore, we don't believe it is unreasonable that a melanoma detection advertisement depicts a person in this state on a sunbed/lounge setting.

2.2 and 2.3 – Regarding degrading or exploitative to women. Molemap does not believe that this advertisement is degrading or exploitative to women.

Why melanoma detection is important

Melanoma is the 3rd most common cancer in Australian men and women¹

Australia has one of the highest rates of Melanoma in the world¹ and every 5 hours someone dies from melanoma in Australia¹

There is a 20% risk increase in melanoma regardless of age of first use of a solarium. The same meta-analysis also reported that the risk of melanoma increases with each sunbed session; there is a 1.8% increase in risk of developing melanoma for each additional sunbed session per year⁴

Melanoma is most common cancer in young Australians¹

39% of Australians have never had a skin cancer check³

2.7m Australians get sunburnt every summer weekend²

In general Australians can be apathetic to melanoma, skin cancer, sunburns and skin checks.

When detected early melanoma can be effectively treated.

Molemap believes that this advertisement is important and in the public interest. We have the statistics and science to back up the importance of head-to-toe skin checks in the early detection of melanoma in Australia.



References

Melanoma Institute Australia 2018. [Melanoma.org.au/understanding-melanoma/melanoma-facts-and-statistics](https://www.melanoma.org.au/understanding-melanoma/melanoma-facts-and-statistics)

Cancer Council National Sun Protection Survey 2017

TAL SpotChecker Survey 2017

<https://wiki.cancer.org.au/skincancerstats/Solariums>

THE DETERMINATION

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

The Panel noted the complainant's concern that the advertisement objectifies women and is inappropriate for a broad audience which would include children.

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

The Panel considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative or degrading of any individual or group of people."

The Panel noted the AANA Practice Note which provides guidance on the meaning of the terms exploitative and degrading:

Exploitative - (a) taking advantage of the sexual appeal of a person, or group of people, by depicting them as objects or commodities; or (b) focussing on their body parts where this bears no direct relevance to the product or service being advertised. Degrading – lowering in character or quality a person or group of people.

The Panel noted the complainant's concern that the advertisement objectifies women.

The Panel first considered whether the advertisement used sexual appeal.

The Panel noted the television advertisement featured a close-up of a woman on a



sunbed where her moles are shown as question marks.

The Panel considered that the woman was shown lying naked on a sunbed, which is consistent with how sunbeds are used. The Panel considered the woman was not posed in a sexual manner, there was no sexually suggestive wording and the product being advertised was not related to sex or adult products. The Panel considered that while the woman in the advertisement may be naked, the advertisement itself did not contain sexual appeal.

The Panel considered that even if the advertisement was seen to contain sexual appeal through the use of the female's body, the woman is not treated as an object or a commodity and the focus on her body parts is directly relevant to the service being advertised and the advertisement was not exploitative of the woman. Further the advertisement does not lower the woman in character or quality and was not degrading of the woman.

Finding that the advertisement did not contain sexual appeal the Panel determined the advertisement did not breach Section 2.2 of the Code.

The Panel considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience".

The Panel noted that the television advertisement had been given a 'W' rating by CAD (May be broadcast at any time except during P and C programs or adjacent to P or C periods. Exercise care when placing in programs principally directed to children - http://www.freetv.com.au/media/CAD/Placement_Codes.pdf) and the relevant audience would therefore be broad and likely to include children.

The Panel considered the complainants' concerns that the advertisement features nudity and is inappropriate for viewing by children.

The Panel noted the advertiser's response that the woman's nudity is consistent with use of a sunbed, or sunbaking in general, and highlights an increased risk of moles.

The Panel considered that while the woman does appear to be naked only her back, shoulder, arm and face are visible. The Panel considered that her genitals and breasts are completely covered. The Panel considered that it is reasonable for an advertiser referencing potential harm caused by sunbeds to depict a person using a sunbed, and that the advertisement does not contain explicit nudity or sexual content.

In the Panel's view the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience and that the advertisement did not breach Section 2.4 of the Code.



Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaints.

