



Case Report

1	Case Number	0089/11
2	Advertiser	Department of Health and Ageing
3	Product	Community Awareness
4	Type of Advertisement / media	Billboard
5	Date of Determination	13/04/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

A billboard advertisement depicting a realistic graphic portrayal of clandestine laboratories used in the production of ecstasy with the headline 'Made using drain cleaner, battery acid or even hair bleach. Then popped in your mouth', intended to increase understanding of the harmful chemicals used in ecstasy production.

THE COMPLAINT

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

- 1) I have lived in Coledale for over 10 years. I consider it to be one of the most beautiful sea side towns in Australia. This image now defines the town for all tourists coming from the Sydney direction which is every weekend. I am totally disgusted that this has been authorised.*
- 2) The billboard is directly across the road from the local child care facility in full view. There has been at least one report that one of the female 6th class kids (actually current Coledale school captain) cannot sleep because of the disgusting imagery shown. I'm not sure if the Government considers this to be mission accomplished.*
- 3) The billboard is obviously meant to shock but I don't see why the residence of Coledale should be subjected to this type of barrage.
We need this image removed immediately and I'm not interested in the cost to the Government. I will happily help with the removal at any time.
This complaint is lodged on behalf of me who has to view the graphic filthy toilet outside of my office window. The billboard is placed in a small country town of which it is not probably*

meeting its intended audience. The most disturbing thing about the billboard is its placement directly outside of the Huntly Cafe and Take Away shop. This business is having customer complaints and people are offended by the filth of the imagery used. It is not an appropriate advertisement to be displayed directly opposite a dine-in food premises.

THE ADVERTISER'S RESPONSE

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

The Australian Government believes that the National Drugs 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 the facts in a responsible and appropriate manner, having regard for the target audiences nationally for whom the advertising is directed. As well as young Australians aged 15 - 21, the target audience includes parents of 13 - 17 year olds.

In selecting sites for the billboard advertising in regional centres, the Australian Governments' master media buying agency, Universal McCann looked to maximise reach by skewing to the top regional centres by population and sites either within major town centres or on major arterial roads.

In addition, youth are highly mobile and outdoor is an ideal media channel to engage with them whilst they are among friends socialising. Utilising outdoor media also ensures all segments of the target audience are reached.

In consideration of the complaints, the Department has requested Universal McCann to review the placement of all the remaining outdoor advertisements to ensure that they are not used in close proximity to any child care centres.

As a result, the 'lab' outdoor advertisement that is referenced in a complaint was removed from the Coledale site on Monday 21 st March.

In terms of the Bendigo site, this site is located in the main street of Huntly and can be viewed by traffic on the Midland Highway heading south towards Bendigo from the north.

The site is the only one in this area and was chosen for the reasons mentioned above: for maximum reach and the fact that it is on a highway heading towards a major regional centre.

The current placements of regional billboards are due to cease on 26 March 2011.

The development of the campaign was based on current evidence and best practice in relation to reaching youth with a behaviour change message. The image of an MDMA (ecstasy) laboratory used in the campaign materials is a realistic portrayal of clandestine laboratories, intended to increase understanding of the harmful chemicals used in ecstasy production. The

Department worked closely with the Australian Federal Police (AFP) in the development of the ecstasy creative, and accuracy and credibility of the clandestine laboratory image was achieved with input from the AFP's Federal Agent and Team Leader of the Specialist Response Amphetamine-Type Stimulant, Border International.

As with all advertising we undertake, this approach was focus-tested prior to development and reviewed by the Independent Communications Committee for compliance with the Guidelines on Information and Advertising Campaigns by Australian Government Departments and Agencies (March 2010). Results from this testing identified that the graphic

imagery was necessary to communicate the potential negative consequences of illicit drug use

in a realistic and believable manner.

The media activity for this phase of the National Drugs Campaign will conclude on 30 June 2011.

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 is graphic and placed inappropriately near a childcare facility and a food outlet.

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

The Board considered whether the advertisement was in breach of section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board noted the advertiser’s response that their intended audience is young Australians aged 15 – 21 years, as well as the parents of 13 – 17 year olds, and that the billboard placed near a childcare facility has now been removed.

The Board noted that the advertisement depicts a filthy toilet with drug making equipment, and text which reads, “Made using drain cleaner, battery acid or even hair bleach. Then popped in your mouth. Ecstasy. Face facts.”

The Board noted the complainants’ concerns over the graphic nature of the advertisement however the Board considered that the value of the drug 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.

Based on the above, the Board determined that the advertisement did not depict material contrary to prevailing community standards on health and safety and did not breach section 2.6 of the Code.

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

