



Case Report

1	Case Number	0091/12
2	Advertiser	Against Animal Cruelty Tasmania
3	Product	Community Awareness
4	Type of Advertisement / media	Billboard
5	Date of Determination	14/03/2012
6	DETERMINATION	Upheld - Modified or Discontinued

ISSUES RAISED

2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

Close up image of a woman's face. One side of her face is covered in burns and sores and appears to be swollen. An animal's foot is applying mascara to her right eye. The text reads, "This won't hurt a bit....Stop animal testing."

THE COMPLAINT

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

My 5 and 4 year old boys become distressed and are afraid to look at the billboard. They, along with me, find the billboard disturbing and scary. My sons don't want to go the car park because they are extremely afraid of the picture. It results in the crying and covering their eyes with their hands as they are worried about the women and what's happened to her.

THE ADVERTISER'S RESPONSE

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

In November 2010, Against Animal Cruelty Tasmania (AACT) received a generous grant from Lush Cosmetics which enabled AACT to produce a billboard which was intended to bring about public awareness of animal testing in the cosmetic industry. The billboard 'skin' sites are rented from Ray Earle Prime Moving Advertising.

The image chosen for the billboard 'skin' which has since been displayed in numerous sites around the state, shows a women's face which has been made up to look as though she has been subjected to numerous tests which animals do unfortunately endure in laboratories around the world daily.

Upon choosing the final image, it was intended to depict a human face rather than real photos of animals, in order not to distress and upset the public with real and frequently gory images of defenceless animals suffering. Six words explaining what frequently occurs in any testing process: swelling, blistering, ulcers, blindness, agony and death are displayed on the billboard, with logos from both Chose Cruelty (CCF) and Against Animal Cruelty Tasmania (AACT). With the words 'Stop Animal Testing' and 'This won't hurt a bit' displayed across the image it would seem obvious that the woman's face and descriptive words are relating to what happens to animals, and in no means to the woman's face displayed. It would be hoped people would feel empathy for the plight of animals used for testing in the cosmetics industry. Recently a complaint was received by The Advertising Standards Bureau on the content of AACT's anti-animal testing billboard which is displayed in Hobart.

At all times while researching a suitable image to use on the billboard skin, we were concerned that the image we chose wouldn't cause distress or was too graphic. However it was important to ensure the billboard 'skin' caught the public's attention and interest in order to generate more personal knowledge of animal testing use in the cosmetic industry, and hopefully people would access alternative means of buying cosmetics which are completely cruelty free in all their production.

As with the factory farming of animals, the general public has become more informed of the farming of animals for food, and as AACT is the only advocacy group in Tasmania, it is important that AACT continues to inform citizens on important animal issues.

Around the world annually, millions of different species of defenceless animals are currently subjected to numerous unnecessary tests in order for humans to wear and use cosmetics.

As stated previously, because the use of real images of animals used in animal testing is always distressing, the image which was used was a fake image of a women's face which we would have assumed would have been obvious to anyone looking at the billboard.

Unfortunately the issue of animal testing is hard to depict in any sort of sanitized manner without avoiding some form of distress depending on the age of the person viewing the image. It was unfortunate that the billboard caused distress to two very young people who viewed it, but as only one complaint has been received by The Advertising Standards Bureau from the time when the billboard was first displayed in February 2011 until February of this year 2012, it would seem the majority of people viewing the image understood the concept.

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 is disturbing and 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 is for raising awareness about animal testing and depicts a woman having mascara applied by an animal (only a foot is seen) and that one side of her face is covered in burns, sores, and swelling. The Board noted that the woman appears in pain and is clearly distressed and considered that the overall effect of the advertisement is disturbing to the viewer.

The Board noted community concern about depictions of graphic images in the context of violence and considered that, while there is a valid community message to be broadcast, the graphic nature of this advertisement is not warranted on a billboard where it could be seen by children.

In the Board's view the advertisement presents violence in a manner that is not justifiable in the context of the product being advertised.

The Board determined that the advertisement did breach Section 2.3 of the Code.

Finding that the advertisement did breach Section 2.3 of the Code, the Board upheld the complaint.

ADVERTISER RESPONSE TO DETERMINATION

We are notifying you that we have contacted our agent in respect of the advertisement that you have requested that we remove. They are in the process of ensuring this is done promptly and we expect to have that completed in the next few working days.