



**ADVERTISING  
STANDARDS  
BUREAU**

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## Case Report

<b>1</b>	<b>Case Number</b>	<b>0106/14</b>
<b>2</b>	<b>Advertiser</b>	<b>Johnson &amp; Johnson Pacific Pty Ltd</b>
<b>3</b>	<b>Product</b>	<b>Toiletries</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Pay TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>09/04/2014</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.5 - Language Inappropriate language

### DESCRIPTION OF THE ADVERTISEMENT

#### Scene 1

We open in a flashback scene of the 1960's, where a girl's swimming in a pool. We see she's dressed in a distinctly 60's swimsuit. We hear the voice over 'Back in those days, I was so scared of using tampons I actually tried swimming with a pad. Bad idea.' As she speaks we see a brief glimpse of her pad, clean and white, floating nearby, she swiftly and subtly distances herself from it so that no one knows it's hers.

#### Scene 2

We transition to a girl in a bathroom. In one hand she is holding a tampon, in the other she has the instructions leaflet. As she looks from one to the other, she mentally prepares herself for the task at hand. We hear the voice over 'Idea of, you know, shoving that up there... it just seemed uncomfortable'.

#### Scene 3

We then see the next girl's story. A girl is sitting in a high school computer room during a free period, and we see a few other students scattered in the room. She does a quick scout around before stealthily typing into the search engine 'am I putting my tampon in the wrong hole?' Just as she hits the enter key, someone walks past, and she quickly closes the browser. We hear the voice over 'Uncomfortable feeling when I tried tampons... and so I kinda started

to stress’.

#### Scene 4

We transition to a girl in her work uniform locking a toilet cubical from the inside. She pulls a ProComfort tampon out of her bra. We hear the voice over ‘Stress-free with Carefree Pro-Comfort tampons. Itty bitty and silky smooth, so you can get them in and out easily.’ It then cuts to her looking pleasantly into the mirror which we assume is after she has used the tampon. She appears relaxed, comfortable and confident.

We then cut to pink and see a Carefree ProComfort pack shot and the super ‘Be real. Be Carefree’ which is also voiced. The Advertisement ends with a super that says ‘free samples at [becarefree.com.au](http://becarefree.com.au)’.

### **THE COMPLAINT**

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

*I find it extremely offensive to describe where to place her tampon in case she gets the wrong place.*

*It is degrading to women of any age!!*

*I was watching it with my two grown up sons and they were mortified with the content, both claiming that there are some things men don't need to know.*

*If a young girl needs to know about 'how to's or the do's and don't's' on the proper use of a tampon she can google it without having to watch the embarrassing content of this type of ad in front of her boyfriend.*

*This gender inappropriate style of ad is unnecessary even in this age of enlightenment.*

*I find this disgusting wording.*

### **THE ADVERTISER’S RESPONSE**

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

*We have considered the complaints and the relevant provisions of the Australian Association of National Advertisers Code of Ethics (the “Code”) and the Code for Advertising & Marketing Communications to Children (AMCC) and submit that the Carefree® Be Real ProComfort™ advertisement (the “Advertisement”) the subject of the complaints complies with the Code and the AMCC for the reasons set out in this letter and therefore the complaints should be set aside.*

#### **CAD RATING/ CAD REFERENCE:**

*Please be advised that the Carefree® Be Real ProComfort™ TVCs have been approved by Commercials Advice Pty Ltd (CAD), as evidenced by approval reference PZ5SQTCA, PZ5SRTCA & PZ5SSTCA. The advertising agency responsible for the creation of the ads was DDB Group and the media buying agency was Optimum Media Directions (OMD).*

*Further to this, the Advertisements created for Carefree® Be Real ProComfort™ have received PG ratings by CAD and we submit that this is the appropriate rating and we have complied with that rating.*

*According to this designation by CAD, the Advertisement, having a PG rating, is deemed to contain careful presentation of adult themes or concepts which are mild in impact and remain suitable for children to watch with supervision (emphasis added).*

*PG rated shows may be broadcast during the following hours, except during P and C programs or adjacent to P or C periods: Weekdays 8:30am – 4:00pm; Weekdays 7:00pm – 6:00am; Weekends 10am – 6am; Exercise care when placing in cartoon and other child – appeal programs.*

*Digital Multi Channels – in addition, may be broadcast during the following hours: Weekdays 6:00am – 8:30am; Weekdays 4:00pm – 7:00pm; Weekends 6:00am – 10:00am.*

*Carefree® has complied with the above guidelines.*

**DESCRIPTION OF THE CAREFREE® BE REAL PROCOMFORT™  
PROCOMFORTADVERTISEMENT:**

*Scene 1*

*We open in a flashback scene of the 1960's, where a girl's swimming in a pool. We see she's dressed in a distinctly 60's swimsuit. We hear the voice over 'Back in those days, I was so scared of using tampons I actually tried swimming with a pad. Bad idea.' As she speaks we see a brief glimpse of her pad, clean and white, floating nearby, she swiftly and subtly distances herself from it so that no one knows it's hers.*

*Scene 2*

*We transition to a girl in a bathroom. In one hand she is holding a tampon, in the other she has the instructions leaflet. As she looks from one to the other, she mentally prepares herself for the task at hand. We hear the voice over 'Idea of, you know, shoving that up there... it just seemed uncomfortable'.*

*Scene 3*

*We then see the next girl's story. A girl is sitting in a high school computer room during a free period, and we see a few other students scattered in the room. She does a quick scout around before stealthily typing into the search engine 'am I putting my tampon in the wrong hole?' Just as she hits the enter key, someone walks past, and she quickly closes the browser. We hear the voice over 'Uncomfortable feeling when I tried tampons... and so I kinda started to stress'.*

*Scene 4*

*We transition to a girl in her work uniform locking a toilet cubical from the inside. She pulls a ProComfort tampon out of her bra. We hear the voice over 'Stress-free with Carefree Pro-Comfort tampons. Itty bitty and silky smooth, so you can get them in and out easily.' It then*

*cuts to her looking pleasantly into the mirror which we assume is after she has used the tampon. She appears relaxed, comfortable and confident.*

*We then cut to pink and see a Carefree ProComfort pack shot and the super 'Be real. Be Carefree' which is also voiced. The Advertisement ends with a super that says 'free samples at [becarefree.com.au](http://becarefree.com.au)'.*

*The tone of the voiceovers in the Advertisement is supportive, honest and positive and we discuss this further below.*

*Complaints previously dismissed by the ASB*

*Some complaints under reference 0087/14 refer to a scene of a girl in the bathroom thinking that "the idea just seemed so weird to me, shoving that, up there" while looking at the tampon, a scene with a girl in a car with her boyfriend and a scene in a dance group with the edge of the pad showing from her leotard.*

*The words used in this Advertisement by the girl in the bathroom are substantially similar to those used in the other version of the Ad, where it was stated as "idea just seemed so weird to me...shoving that up there". We note the scenes of a girl in a car with her boyfriend and the dance group were not in this version of the Advertisement.*

*We repeat our comments in our letter to the ASB dated 11 March 2014 regarding those 3 scenes and note that the ASB has dismissed all complaints regarding those scenes and request that those complaints be dismissed.*

*In response to the complaints received by the ASB*

*We refer to the complaints received by the ASB and provided to us. The ASB has referred us to Sections 2.1 (discrimination or vilification gender) and 2.4 (sex/sexuality/nudity) of the Code. We have not been referred to any other section of the Code or the AMCC, however we also discuss Section 2.5 (inappropriate language) of the Code and the AMCC below.*

*It also appears that the complaints fall into the following categories (many of which do not fall within the scope of the Code) and allegations all of which Carefree® denies: the Advertisement is too embarrassing to adult men, women, young girls and boys; adults should not have to explain menstruation and menstruation products to pre-teen boys/girls and the time slot in which the Advertisement is shown is not appropriate.*

*We will address Sections 2.1, 2.4 and 2.5 of the Code, the AMCC and each of the other categories listed above in turn after discussing:*

- A. Our research regarding women and girls' concerns about their periods;*
- B. Consumer testing and validation of the Advertisement before airing;*
- C. The relevant audience;*
- D. Prevailing community standards;*
- E. The creation and content of our Carefree® website; and*
- F. The purpose of the Advertisement.*

*Our research regarding women and girls' concerns about their periods and use of tampons*

*The average age of menarche (a girl's first menstrual period) starts between ages 11 and 14*

*and it can happen as early as age 9 or as late as 15* (<http://www.webmd.com/parenting/tc/menarche-topic-overview> ). Our research has also shown us that 1 in 2 13-17 year old teens (n=138) are too embarrassed to ask questions about periods and vaginal health. As a result girls, particularly teens can have misconceptions about their periods and how to use tampons.

*Menstruation is still considered by some as the 'unmentionable', with research showing that women are more comfortable to talk about their sex lives than their periods. In fact, somewhat surprisingly, some women also view other females who talk about their periods as vulgar (26%), crude (29%), embarrassing (41%) – and even weird (26%), according to the research from Carefree®. This also indicates that 70% did not think it vulgar or crude.*

*Our research of girls aged 13-24 also found the following. Most girls (75%) discussed their first periods with their mum, (17%) with their friends who already had periods. Despite discussing it with their mums, the same study found 50% of girls feel they have unanswered questions. As a result only 43% of girls felt prepared when they started their period. Regarding tampons, 43% of women aged 13-24 years stated they are “scared to use tampons”, increasing to 56% with teens. These women also indicated they don't understand how a tampon works (total respondents 21%, teens 25%). Women and girls also report discomfort when using them – of 13-24 year olds who have tried using tampons, 58% experience discomfort when inserting and 49% experienced discomfort when removing. The research also found that 1 in 3 teens that don't use tampons (33%) agree that 'it is frustrating that everyone else seems to be able to use tampons and I can't'.*

*We discuss these points further below in relation to the scene of the pad in the pool, the language used in the Advertisement in the internet search scene regarding putting the tampon in the right hole, and the language at the end of the Advertisement about ProComfort being easy to insert and remove.*

*Our research therefore told us that young girls needed a place to go to ask questions about periods, and tampons so Carefree® developed the Advertisement and the [becarefree.com.au](http://becarefree.com.au) website referred to in the Ad as a place where they can find out more information, ask a Doctor questions, and see that they're not alone. For example, we discuss in Section K below that many girls are searching the internet to find out if they are putting the tampon in the right hole – as depicted in the Advertisement, and we wanted all girls seeing the Ad to take comfort in knowing their concern was not unique.*

*Consumer testing and validation of the Advertisement before airing*  
Carefree® tested the Advertisement (and an earlier version which was the subject of previous complaints all dismissed by the ASB) with 421 women aged 13-39 years (N=157 13-17 years, N=163 18-24 years, N=101 25-39 years) before airing it on television and there was overwhelming support and resounding gratitude for the Advertisement. The vast majority of women were thankful that there is finally a campaign which takes a brave leap forward and publicly voices their period experiences, in a humorous light, helping them feel more comfortable knowing their experiences are a reality shared by all women.  
*Some of the comments by those who viewed the Advertisement in testing:*

*“Great ads. It's an awkward and embarrassing experience and this makes me laugh and realise every woman goes through it and has the same experiences.” 13 years*

*“Very funny and real. I would have been very relieved to see these ads as a teenager.” 22 years*

*“THANK YOU!!!!!! It is about time that a company would take the issue of periods and the experiences ALL women have. It is a brave and absolute truth.” 35 years*

*“I think they’ve made a distinctive and different ad than has ever been made about sanitary products and embarrassing period situations. I think they’ve done an excellent job. It’s the best ad for sanitary products that has ever been made.” 13 years*

*“Liked that it discussed that not everyone is comfortable wearing tampons and they are designed to be more comfortable” Female 34*

*“That it is trying to help the uncomfortable transition from sanitary pad to tampons for uncertain females. That it cares about the wellbeing of females and trying to reach out.” Female 17*

*“Great for young girls, trying to make them not feel embarrassed” Female 24*

*“It mimicked my experiences in trying tampons for the first time” Female 19*

*Of the 421 women (aged 13-39 years) who viewed the Ads in testing, before seeing the advertisements 55% felt comfortable about period experiences and 28% felt uncomfortable about them. After seeing the Ads, 63% felt comfortable about period experiences and 10% felt uncomfortable.*

*Before seeing the Advertisements, in the age group 13-17 girls (157 girls), 44% of those respondents felt comfortable about period experiences and 38% felt uncomfortable about them. After seeing the Ads, 58% felt comfortable about period experiences and 12% felt uncomfortable.*

*Regarding the pad floating in the pool scene, 72% of women (N=160) stated the scene was highly relevant to them and this percentage goes up to 76% of 13-17 year olds girls surveyed.*

*We discuss the internet search results for the scene “am I putting my tampon in the wrong hole” below in Section K.*

*Regarding the phrase “Stress-free with Carefree Pro-Comfort tampons. Itty bitty and silky smooth, so you can get them in and out easily”, in testing this scene, 76% of women (N=160) and 13-17 year olds girls surveyed stated the scene was highly relevant to them.*

*The Advertisement therefore reflects the concerns and experiences that women and girls have about their periods and using tampons.*

*Importantly, the Advertisement is also effective in alleviating their concerns, particularly with young girls.*

*The Relevant Audience of the Advertisement*

*The Australian Association of National Advertisers (AANA) 2012 Code of Ethics Practice Note states that the relevant audience is a relevant concept for restrictions on treatment of sex, sexuality and nudity and language.*

*The relevant audience for the Advertisement is women, and in particular younger women and girls, who may wish to, or are using or have used sanitary protection products. The relevant audience is also intended to be women and girls who have experienced the things depicted in the Advertisement and may have questions or concerns about the use of sanitary protection products, including pads, liners and tampons. The Advertisement therefore refers the viewer to our website [becarefree.com.au](http://becarefree.com.au), where they can request a sample and also ask a Doctor questions. We discuss the website further in Section E.*

*The media placement plan includes television shows with a PG rating and above in accordance with the CAD approval and a target audience of women 13-24.*

*Accordingly, media placement for the Advertisement is appropriate to the relevant audience.*

#### *Prevailing community standards*

*We submit there was a time in the past, many years ago, when prevailing community standards would not have supported an advertisement on television or elsewhere that referred to women's menstrual issues and the products available to them, such as tampons.*

*In the 1980's for example, advertisements about menstrual issues depicted women in sporting/outdoor activities, but did not discuss the actual topic of periods.*

*In 2014, 30 years later, we submit those types of advertisements are viewed by the public and by the generation of women and young girls born at the time and after those ads were made, as a somewhat quaint depiction of the issue not reflective of the community's maturity now and its ability and its willingness to discuss these topics openly and without embarrassment. We refer the ASB to its decision dismissing all complaints against the previous Carefree® television advertisement in 2012 which discussed the vagina, vaginal discharge and Carefree® liners, and the comments made in the media by many commentators and by the public in support of that advertisement and the move from the "sport/outdoor" ads of the 1980's, illustrating the change in prevailing community standards.*

*We also refer the ASB to the support the Advertisement received in testing before being aired and the support from the community since it has been aired (see Section L below).*

*As a result, we submit that the Advertisement is in-line with prevailing community standards.*

#### *Creation and content of our Carefree® website*

*The website was created to address the concerns of young girls and women about menstruation.*

*It includes: Q&A with a Doctor so girls can ask questions about their periods and the products that may be best suited for them; story sharing so girls know that all women go through similar things; tips and facts based on information girls search for on the internet about menstrual health and information about tampons, pads and liners.*

*As noted above, the Advertisement refers the viewer to the site and enables young girls to find out the answers to their questions in a safe environment.*

*Since showing the Advertisement, visits to the website have increased by 228% and Carefree® is proud to be able to help girls find the much needed answers to their questions and, with the help of the many positive aspects of the website, address their concerns.*

### *The Purpose of the Advertisement*

*The Ad depicts situations that real women involved in our research told us they can relate to. The Advertisement is intended to show women they are not alone, that their experiences as females, even those that may have been embarrassing when they were younger or embarrassing to younger girls now – are indeed what unite us and that periods are a normal part of a woman's life. Our aim has been to tackle the taboo around periods and address the issue honestly.*

*The purpose of this campaign is to reassure women, particularly young girls that their periods are natural and that all women go through a learning curve when getting used to managing their periods and using tampons.*

*The purpose of the Advertisement has been twofold.*

*First, to address in a respectful and honest way the embarrassment and taboo around periods that women feel. By speaking about periods openly it makes it less embarrassing because women and young girls know that the issues depicted in the Advertisement are relatable and can happen to everyone, not just them. As noted in Section A above, our research before making and airing the Advertisement confirmed to us the issues that women are concerned about with respect to their periods and tampons.*

*Secondly, the purpose of the Advertisement is to provide young girls and women with information on tampons. As noted in Section A, 43% of women aged 13-24 years stated they are "scared to use tampons", increasing to 56% with teens 13-17 year olds. These women also indicated they don't understand how a tampon works (total respondents 21%, teens 25%). Women and girls also report discomfort when using them – of all 13-24 year olds who have tried using tampons, 58% experience discomfort when inserting and 49% experienced discomfort when removing. The research also found that 1 in 3 teens who don't use tampons (33%) agree that 'it is frustrating that everyone else seems to be able to use tampons and I can't'. Tampons and how to use them is therefore an issue for younger girls and women.*

*Carefree is therefore helping girls understand they are not alone in what they are experiencing, making them aware of a tampon available that is designed to be easy to insert and remove (see Section K below), and providing the address of the Carefree® website discussed above, [becarefree.com.au](http://becarefree.com.au).*

*The [becarefree.com.au](http://becarefree.com.au) website provides women and girls with a place to go to learn about their menstrual health and ask a Medical Doctor questions with the answers posted without names, for other girls to read and see that they are not alone.*

*Since the Advertisement aired we have seen the significant increase in visits discussed above. We therefore submit that the Advertisement is not only responding to a real need to break down the taboo and embarrassment surrounding periods, it also provides a link to our Carefree® website, a much needed place for girls to go and ask questions and have access to information about their menstrual health.*

*In response to the complaints about discrimination/vilification of gender in the Advertisement*

*Section 2.1 of the Code states:*

*"Advertising or Marketing Communications shall not portray people or depict material in a way which discriminates against or vilifies a person or section of community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief"*



*The AANA Practice Note defines discrimination as “unfair or less favourable treatment” and defines vilification as “humiliates, intimidates, incites hatred, contempt or ridicule.” In our view the Advertisement in no way treats women unfairly or less favourably and in no way does it humiliate, intimidate, incite hatred, contempt or ridicule women.*

*In the scene with the pad in the pool, the voice over states: “Back in those days, I was so scared of using tampons I actually tried swimming with a pad. Bad idea.”*

*Our research of girls aged 13-24 found the following. Most girls (75%) discussed their first periods with their mum, (17%) with their friends who already had periods. Despite discussing it with their mums, the same study found 50% of girls feel they have unanswered questions. As a result only 43% of girls felt prepared when they started their period. 24% of girls also remember feeling scared for their first period.*

*The research also found that 43% of women aged 13-24 years stated they are “scared to use tampons”, increasing to 56% with teens. These women also indicated they don’t understand how a tampon works (total respondents 21%, teens 25%).*

*As we noted above regarding that scene of the girl and the pad in the pool, in pretesting the Ad before it was aired, 72% of women (N=160) stated the scene was highly relevant to them and this percentage goes up to 76% of 13-17 year olds girls surveyed. The tone of the Advertisement is also supportive and honest.*

*In the scene in the pool, the voice over is delivered by an older woman remembering her experience with menstruation, pads and tampons when she was young, with a tone of reminiscing in a positive way, that says to young women “I was scared of using tampons when I was young and had an embarrassing moment with a pad in the pool – but now I can tell you about it and laugh to myself because now I know there’s nothing to be scared about when using a tampon and I survived that embarrassing moment.”*

*In the scene with the young girl using the computer to search the term “am I putting my tampon in the wrong hole?”, her voice over states “uncomfortable feeling when I tried tampons...and I kinda started to stress”. The tone of this part of the Ad reflects the concern that our research, as well as the 510 searches of that term per month (6,120 per year), showed many young girls have with using tampons. It is placed in the context of the other parts of the Advertisement, in particular, the supportive voice over of the older woman discussed above, and the relaxed appearance of the woman in her 20’s at the end of the Ad in the pink uniform, giving the impression that she uses tampons with confidence.*

*The Advertisement therefore ends with the super and a voice over that says “Be Real, Be Carefree®”, and with a super that reads “Free samples @becarefree.com.au”.*

*We discuss the internet search scene and the language at the end of the Ad about ProComfort tampons being easy to get in and out further in Section K below regarding language and we repeat those comments in this section to refute the complaints that the Advertisement breaches Section 2.1 of the Code.*

*The Advertisement responds to our research regarding some women and girls’ concerns about periods and tampons; received overwhelming support from the majority of a sample of 421 women in testing; is directed at an audience of younger girls to help them know that they*

*are not alone when it comes to their experiences regarding periods and tampons; is in line with prevailing community standards; and is supported by a detailed website with a Doctor answering Q&A and containing information about periods, vaginal health and tampons. We also repeat our comments in Sections A-F above. For the reasons set out in those sections and in this Section G, we submit that the Advertisement does not discriminate against or vilify women and is not demeaning or disrespectful or offensive to women.*

*H Complaints that the Advertisement is too embarrassing to adult men, women, young girls/boys*

*It appears that some of the complainants are embarrassed by the situations portrayed in the Advertisement as well as the sight of tampons and pads, however we submit that fails to establish that we are in breach of Section 2.1 of the Code or any other aspect of the Code.*

*We also add that the embarrassment that some of the complainants are feeling is exactly what Carefree® is hoping to address with the Advertisement, to normalise experiences, dialogue and imagery relating to periods. The Advertisement is intended to break down the embarrassment and help women and girls not to feel embarrassed or ashamed by their bodies, menstruation, tampons and vaginal health and by providing them, through the Advertisement with reassurance that their experiences, questions and concerns are not unique and that it's ok to talk about these subjects in an open and honest way.*

*I Complaint that children are too young for their parents to explain the product and periods to them/time slot in which the Advertisement is shown is not appropriate/complaints that males should not have to see the Ad*

*The Advertisement has been approved by CAD to be shown during television shows with a rating of PG (and above).*

*According to the designation by CAD, the Advertisement, having a PG rating, is deemed to contain careful presentation of adult themes or concepts which are mild in impact and remain suitable for children to watch with supervision (emphasis added).*

*As noted above, girls as young as 9 can have their first period and the average is between 11-14, in which case menstruation, pads and tampons is a topic appropriate for parents and guardians to see on television and discuss with their children because their girls are either about to experience menstruation or already are.*

*Men and young boys may benefit from this as well. The Advertisement can help men, including those with wives, partners and young daughters to understand, if they don't already, that the issues depicted in the Advertisement are issues that all women experience and they are a natural part of life.*

*The Advertisement is intended to break down feelings of embarrassment and importantly it provides reference to the website, [becarefree.com.au](http://becarefree.com.au), where they can get information about periods and tampons that are easier to insert and remove and have a Q&A with a Doctor.*

*Therefore, in our view the images and descriptions about women's experiences with menstruation and using tampons depicted in the Advertisement are appropriate in the circumstances and in accordance with the CAD rating of PG, the Advertisement is appropriate to be shown in those time slots where adults can view the ad and parents/guardians can provide guidance and, if needed, have an appropriate discussion with*

children.

*We note that menstruation is also taught in schools to children, girls and boys from K6, when they are aged 11+.*

*We submit that Carefree® is not a breach of the Code in relation to these claims or otherwise.*

*J In response to the complaints of sex, sexuality and nudity*

*We refer to the complaints received by the ASB and provided to us. The ASB has also referred us to 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 images of our heroines in the Advertisement are at all times tasteful and there are no instances of nudity in the Advertisement.*

*To the extent the Advertisement deals with gender and with menstruation (sex and sexuality) we submit that, in accordance with the Code, the images of the women and girls in the Advertisement have been treated with sensitivity, with respect to the relevant audience, within the context of the subject matter and we repeat our comments above about our research, consumer testing and validation of the Advertisement before airing, the relevant audience, prevailing community standards, the content of the website [becarefree.com.au](http://becarefree.com.au) and the purpose of the Advertisement.*

*There is no sex, sexuality or nudity in any of the scenes including: the pool scene; the girl in the bathroom wondering about use of tampons; the girl searching on the internet or the girl in the work uniform in the bathroom.*

*The tone of the Advertisement is supportive and honest.*

*In the pool scene, the voiceover is delivered by an older woman remembering her experience with menstruation, pads and tampons when she was young, with a tone of reminiscing in a positive way, that says to young women “I was scared of using tampons when I was young and had an embarrassing moment with a pad in the pool – but now I can tell you about it and laugh to myself because now I know there’s nothing to be scared about when using a tampon and I survived that embarrassing moment.”*

*In the scene with the young girl using the computer to search the term “am I putting my tampon in the wrong hole?”, her voice over states “uncomfortable feeling when I tried tampons...and I kinda started to stress”. The tone of this part of the Ad reflects the concern that our research showed many young girls have with using tampons. It is placed in the context of the other parts of the Advertisement, in particular, the supportive voice over of the older woman discussed above, and the confident appearance of the woman in her 20’s in the pink uniform at the end of the Ad, giving the impression that she uses tampons with confidence.*

*We also submit that the Advertisement complies in all respects with the AANA Code for Advertising and Marketing Communications to Children. Tampons and pads are not sexual.*

*Menstruation is not sexual. It is a natural part of every woman's life that begins when they are young girls. Society in the past has stigmatized menstruation and sanitary pads and tampons with the result that young girls and some women feel embarrassed by it. The Advertisement responds to this concern and is saying that menstruation is nothing to be embarrassed about.*

*K. In response to Section 2.5 regarding language*

*We refer to the complaints received by the ASB and provided to us. We have not been referred to Section 2.5 of the Code, however to the extent it could be argued this is relevant we discuss Section 2.5 (inappropriate language) of the Code below.*

*Section 2.5 of the Code states:*

*“Advertising or marketing communications shall only use language which is appropriate in the circumstances (including appropriate for the relevant audience and medium). Strong or obscene language shall be avoided.”*

*Regarding language, the complaints relate to: the girl in the bathroom thinking that “the idea just seemed so weird to me, shoving that, up there” while looking at the tampon (we note the ASB has dismissed all complaints regarding that scene so we do not address that complaint and we repeat our comments in our letter to the ASB dated 11 March 2014); the internet search “am I putting my tampon in the wrong hole”; and although we have not received a complaint about language in the other parts of this version of the Ad, there is also a reference at the end to the tampons being “itty bitty and silky smooth so you can get them in and out easily” which we will discuss below.*

*As we noted above, although 75 % of young girls are asking their mothers for advice about their first period and 17% are asking their friends who already have their period, 50% of all of those girls have unanswered questions.*

*While researching what those unanswered questions are and to understand the concerns of young girls regarding tampons, we discovered that the term “am I putting my tampon in the wrong hole” has an unexpectedly high rate of search on internet search engines. In Australia there are 510 searches of that term per month (6,120 per year) demonstrating that young girls are turning to the internet for answers to this question.*

*Due to the discomfort many women experience when using tampons, some young women are concerned that they are inadvertently putting the tampon into their urethral opening. Another manufacturer of sanitary protection products also has a Q&A regarding whether girls are putting their tampon in the right hole. As we also noted, only 43% of girls felt prepared when they started their period. 43% of women aged 13-24 years stated they are “scared to use tampons”, increasing to 56% with teens. These women also indicated they don't understand how a tampon works (total respondents 21%, teens 25%).*

*Whether girls are putting the tampon in the right hole and not their urethral opening, is therefore a real concern for many young girls. This is contrary to some complainants who state that “we all know what these products are for”. That is not the case. For many young girls, particularly those who have not been able to find out answers to their questions (50% of respondents), they need a place to find answers to these questions. It is especially relevant*

*to them when they are starting menstruation, on average 11-14 and can be as young as 9 years old.*

*So to address this issue and to let young girls know that they were not alone in asking the question about whether they were putting the tampon in the right hole (and not their urethral opening) and to provide information about a more comfortable tampon, we included the internet search scene in the Advertisement and refer girls to the website [becarefree.com.au](http://becarefree.com.au) where a Medical Doctor is available to answer real life questions like this and allay concerns. That "search term" scene also leads to the next scene in which the girl in her 20's in the pink uniform is holding a tampon and looking quite comfortable and relaxed. The voiceover states: "Stress-free with Carefree Pro-Comfort tampons. Itty bitty and silky smooth, so you can get them in and out easily", and the super refers the viewer to the website [becarefree.com.au](http://becarefree.com.au) with access to the Doctor. The purpose of this closing scene with the young woman in her 20's, immediately after the "search term" scene of the younger teenage girl, is to let younger girls know that while they may have concerns about menstruation and using tampons, they are not alone, their concerns are not unique, when they become more familiar with their bodies and using tampons they will not be stressed by tampons, that the Carefree tampon is designed to be easy to use and they can go to our website and also get a free sample.*

*One of the respondents during testing stated:*

*"Although every woman is different, we all share likeness in the fact that we all have periods, or have experienced periods in our lifetime... all women have asked the question some point in their life, questioning the comfort and reliability of tampons and how they would work to avoid embarrassment"*

*Female 23 years*

*Tampons and how to use them is therefore an issue for younger girls and women. To reach that younger audience, Carefree® needed to use language they would connect with and reflect how young women speak. It is unlikely using clinical language such as "am I inserting the tampon correctly into my vagina or incorrectly into my urethral opening" would connect with this audience. It is also unlikely that using formal language, such as "Stress free so that you can insert them and remove them easily" would have connected with the audience. So instead we use the phrase "Stress-free with Carefree Pro-Comfort tampons. Itty bitty and silky smooth, so you can get them in and out easily."*

*As a result, Carefree® used the language that young women would use to help achieve the purpose of the Advertisement removing the embarrassment surrounding menstruation and also provide an avenue of where to find more information about tampons through the website [becarefree.com.au](http://becarefree.com.au) referred to at the end of the Ad.*

*The language used was therefore appropriate in the circumstances, appropriate to the relevant audience of younger women and we submit is not "obscene" or "strong", as set out in Section 2.5 of the Code.*

*L Support received for the Advertisement*

*Leading General Practitioner, Dr Farah Kroman, said it's critical to address the sensitivities surrounding sexual health and encourage women to stop talking about periods in a 'hush*

*hush' fashion."*

*"Every day we receive questions at Carefree® from women asking basic questions about their periods and sexual health. If women are not confident, or feel ashamed, to talk about such issues with friends, parents, or their own doctor – how can we expect women to understand what's normal and healthy, in order to care for their body," Dr Farah said.*

*Additional supportive comments taken from Carefree Facebook page, as at 18 March 2014:*

*"I like your ads and have no idea why people are getting their knickers in such a twist...did a blog post in support of you. Keep up the good work !!!!"*

*"I think your new ads are realistic and informative. I don't see the problem with them, many girls would have been through at least one of the situations and seeing it in advertising normalizes it and therefore can help young girls feel more comfortable, especially as some young girls these days can begin their periods as early as 9 years old."*

*"I would just like to offer my opinion on the new carefree add (please no hate). I think that the add identifies with real problems that a lot of real young woman have, and why not? I think it was Courtney Coxx who was the first person to ever say the word "period" on television, and I'm sure many people were outraged. But periods are normal for more than 50% of viewers. But if you put aside your own negative feelings toward the add and think about how this might help so many young girls feel more normal about their first few awkward experiences with these products, then all the better. And so much of our understanding regarding what's "normal" or "expected" comes from tv in this day and age, especially to young viewers. This is a real issue for girls, and I just think it's okay to say "you know what girls, it's okay to experience this and it's a part of learning about your body", heck even educating men on what it's like to be a young woman! There are so many other things on tv that I would consider much more distasteful, and of which serve no educational/ empathetic purpose. I can understand, of course, that not everyone likes to see these issues come up when they are eating their dinner (for example) but please just try and be a bit more open minded about the positive effects that this add will bring."*

*"Hi guys. Think think you have hit the mark! You have identified an educational need for young girls and come up with a clever, non embarrassing way to inform young girls. While in an ideal world, and wouldn't need this, unfortunately we do. Until all the commenters against this add have open, honest and carefree attitudes towards such a normal thing, please keep pushing the boundaries and showing young girls that it is ok and how to use the products. Well done Carefree!"*

### *Conclusion*

*We submit that the Advertisement responds to a real need to break down the taboo and embarrassment surrounding periods and tampons. To remain silent will reinforce and perpetuate the unnecessary shame and stigma that some girls feel about their periods.*

*The Advertisement seeks to break down this stigma and also provides a link to our Carefree® website, a much needed place for girls to go and ask questions and have access to information about their menstrual health.*

*For the reasons set out above we submit that the Advertisement complies in all respects with the provisions of the Code (including the Codes incorporated therein), and in particular Sections 2.1, 2.4 and 2.5 of the Code and the AANA Code for Advertising and Marketing Communications to Children.*

*We respectfully ask the Advertising Standards Board to set aside the complaints it has received.*

## **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 in poor taste, is graphic in detail and discusses a topic that is inappropriate for viewing by children and adults.

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

The Board noted that many of the complainants were concerned about the nature of the product being advertised and that it would make uncomfortable viewing for family members, specifically males. The Board noted that feminine hygiene products are legally allowed to be advertised and that the Board’s decision is only around the content of the advertisement and not the product itself.

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.'

The Board noted the complainants’ concerns that it is degrading and demeaning to women to depict women in embarrassing situations in order to promote this feminine hygiene product. The Board acknowledged that some viewers would find the subject matter to be uncomfortable but considered that the situations depicted were realistic and consistent with the experiences many women have had.

The Board noted the scene where a girl keys into a web based search engine whether or not she is “putting the tampon in the right hole” and another has a sanitary pad floating next to her in a swimming pool. The Board noted the complainants’ concerns that highlighting these issues increases the likelihood of women being on the receiving end of unwelcome comments from men and that this is degrading. The Board noted the advertiser’s response that it had conducted research in to the attitudes and experiences of women and periods and considered that whilst some members of the community could find these scenarios and the issues they raise to be confronting in the Board’s view the advertisement treats the subject matter with appropriate humour in a manner which normalises the issue and removes the social taboos once associated with discussing this topic.

The Board considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of gender and did not breach Section 2.1 of the Code.

The Board 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 Board noted the complainants’ concerns that the advertisement features too much detail about menstruation and that this is not appropriate for viewing by a broad audience and specifically children.

The Board noted that the advertisement had been rated ‘PG’ by CAD

The Board noted the scene where a girl is holding a tampon and questions, “...the idea of you know, shoving that, up there?” and considered that this situation is one which would be familiar to young girls, as highlighted in the advertiser’s research. The Board noted that the advertisement is aimed at females aged between 13 and 39 years of age and considered that the tone of the advertisement is consistent with how these women would discuss menstruation and associated issues. The Board considered that the reference to the female anatomy in the context of the advertised product is not a sexualised reference.

The Board noted complainants’ concerns that the advertisement will encourage conversations about an issue which children are not ready to discuss. The Board considered that younger people would be more frank about the subject matter. The Board considered that whilst some women might feel more comfortable with the subject matter as a private discussion in the home rather than as part of a television advertisement in the Board’s view the advertisement treats the issue of menstruation in an appropriately light-hearted way with a sense of reminiscence from older woman which is not inappropriate for the relevant broad audience.

The Board noted the complainants’ concerns about the use of a tampon in the advertisement and noted it had previously dismissed a billboard advertisement which featured a tampon (0055/13) where:

“The Board noted that the only visual image is of the product and considered that whilst tampons are usually only depicted within their packaging, it is acceptable for an advertiser to display the product they are advertising. The Board considered that in this instance the product is depicted in a manner which is relatively discreet and is not graphic or inappropriate for outdoor display.”

The Board noted the voiceover referring to the tampons being “itty bitty and silky smooth so that you can get them in and out easily” is not inappropriate in the context of the product and message being advertised and is not a sexual reference.

Consistent with its previous determination the Board considered that the depictions of a tampon and a pad were not depictions of material that was of a sexual nature and did not involve any nudity. The Board considered that that in the context of the advertised product the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant audience and did not breach Section 2.4 of the Code.



The Board considered whether the advertisement was in breach of Section 2.5 of the Code. Section 2.5 of the Code states: “Advertising or Marketing Communications shall only use language which is appropriate in the circumstances and strong or obscene language shall be avoided”.

The Board noted the complainants’ concerns about the language used in the advertisement and considered that in an advertisement for a sanitary product the scene of the girl who questions putting a tampon ‘up there’ and considered that her comments are in the context of the intended use of the advertised product and had no sexual connotation. The Board noted that some members of the community would prefer for the whole subject to not be advertised however in the Board’s view the language used is not inappropriate in the circumstances and is not strong or obscene and did not breach Section 2.5 of the Code.

Further finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaints.