



Case Report

1	Case Number	0109/17
2	Advertiser	Reckitt Benckiser (Aust) Pty Ltd
3	Product	Health Products
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	08/03/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

the TVC shows a child playing, the mother talks about sometimes it is hard to know what to give your child for pain relief. it shows the development of a chewable tablet, the liquid being poured into a tablet shape. The Mother then goes on to talk about the convenience of taking the chewables, they are easy to swallow and can be taken without water. The TVC is about the mother talking about the benefit of this format for older children of 7+ years. it is not directed to children and it is very clear it is about an option for providing pain relief to children in a convenient way.

THE COMPLAINT

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

Young child is seen releasing a bunch of helium balloons. Helium balloons once released cause harm to the environment and marine life and other animals such as birds. Many local councils are now banning the release of multiple helium balloons for this reason. It's disappointing to see this company encouraging this sort of behaviour in children. Please rethink this advertisement.

The advert was a mother promoting chewable tablets for pain relief for a young girl.

The medication looks like a chewy caramel may encourage children to treat them as such -

don't know what they taste like of course!!!

THE ADVERTISER'S RESPONSE

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

The advertiser's response

Thank you for bringing to our attention the complaints you received regarding our Nurofen for Children (NFC) Soft Chews advertising. Reckitt Benckiser (RB) is committed to responsible advertising & we have carefully reviewed the complaint concerning the TVC, including all components of Section 2 of the AANA Code of Ethics.

The NFC TVC referred to, promotes NFC Soft Chewable Capsules, a product providing temporary relief of mild to moderate pain for children from 7 to 12 years of age.

First complaint

In direct response to the first complaint that the Soft Chews may be treated like treats by children, the mother is the one promoting the chewable capsules to provide pain relief in children. The advantage of this product, & what sets it apart from more common pain relief formats for children, is the fact that it is a soft & chewable capsule that can be chewed by the child instead of drunk like suspension liquids, & can actually be taken without the use of water.

As children grow up, they can start to dislike taking liquid medicines but often find it difficult to transition to tablet format medicines, in particular pain killers. Learning to swallow tablets can be hard, & this product from NFC is designed to help children transition from liquid to tablet pain killers.

There is a product demonstration that shows the most common child analgesic format, liquid, being poured into the shape of a capsule to highlight the format difference. The product is in no way designed to be a treat for children. It is clearly labelled to store out of sight & reach of children. No child is shown handling, taking or enjoying the medicine in the TVC. The TVC does not appeal to children directly, but to parents of children.

Nurofen for Children carefully considered the design of the product to help children understand it is a medicine and not a sweet. We have taken great care to develop the texture and flavour of the product to ensure the taste of ibuprofen is still present and that it holds little resemblance to a sweet. Similar to most medicines and pharmaceutical products, the capsules are also presented in blister packaging.

The product is approved by the Therapeutic Goods Administration (TGA) and should be kept out of the sight and reach of children. This is clearly listed on the product labelling.

Second complaint

In direct response to the second complaint, that a child may be releasing helium balloons

which may cause harm to the environment &/or be banned in some councils, when reviewing the TVC it is clear that actually the balloons are tied to a chair on a thick rope (00:19) and the child is playing with tugging on the rope of the balloons (00:20) and not releasing them.

The child is under the supervision of an adult, as demonstrated in the creative story-telling and is of an age where it is reasonably expected that she can responsibly play with balloons, so this does not infringe on section 2.6.

We are confident that this TVC does not breach any part of Section 2 of the AANA Code of Ethics, as detailed below:

2.1: Discrimination or vilification: The content of the TVC does not discriminate or vilify against any person or section of the community.

2.2: Exploitative & degrading: The content of the TVC does not contain any sexual, exploitative or degrading material.

2.3: Violence: The content of the TVC does not contain any violence.

2.4: Sex, sexuality & nudity: The content of the TVC does not contain any sex, sexuality or nudity.

2.5: Language: The content of the TVC does not contain any inappropriate, strong or obscene language.

2.6: Health & safety: The content of the TVC does not show any material contradicting prevailing standards of health or safety. This includes that the product is treated and demonstrated only as a medicine, and the environment is not irresponsibly treated in any way.

THE DETERMINATION

The Advertising Standards Board (the “Board”) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the “Code”).

The Board noted the complainants’ concerns that the advertisement depicts medicine in a manner which suggests it is chewy caramel and therefore could encourage children to treat them as lollies, and that a child is seen releasing helium balloons which is harmful to the environment and to animals.

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

The Board considered 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 that this television advertisement features a mother talking about pain relief for children while we see her play with her daughter.

The Board noted that the pain relief advertised, Nurofen for children, is shown on screen, and

described as, a chewable tablet. The Board noted that one of the complaints was that children could mistake the product for a lolly. However the Board considered that the advertisement makes it clear that the mother is talking about a chewable form of pain relief for children. In the Board's view, even if children were to think that the advertised product was a lolly, this product is not for sale to children and responsible adults will ensure that all medication is kept out of the reach of children.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety around medication.

The Board noted the complaint concerning the release of balloons in to the atmosphere and the potential harm caused to the environment and to animals.

The Board noted it had previously dismissed a similar complaint in case 0183/16 where:

“The Board acknowledged that there is a level of community concern around the biodegradability of balloons as well as the potential dangers to wildlife ingesting pieces of balloons. The Board noted however that its role is to reflect the Prevailing Community Standard, not to set it. The Board noted that the laws around releasing helium balloons differ across each state and territory across Australia, for example in NSW it is an offence to release twenty or more balloons at the same time (http://www.austlii.edu.au/au/legis/nsw/consol_act/poteoa1997455/s146e.html) but in WA, where the advertisement was aired, there is no legislation preventing the release of balloons although it is possible that littering laws could apply but this is difficult to apply (<http://www.kabc.wa.gov.au/balloon-releases-and-littering>).”

The Board noted that in the current advertisement, the balloons the girl is playing with are attached to a rope and considered that the scene is very brief and given that the girl is depicted playing throughout the advertisement, in the Board's view, the overall suggestion is that the girl is playing with the balloons, not releasing them.

The Board acknowledged there is a level of community concern around releasing balloons in to the environment but considered that a depiction of a girl playing with balloons, and not actually releasing them, is not of itself a breach of Prevailing Community Standards.

The Board determined that the advertisement 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 complaints.

