



Ad Standards Community Panel
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Ad Standards Limited
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Case Report

1. Case Number :	0109-22
2. Advertiser :	Brand Developers Aust Pty Ltd
3. Product :	Retail
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	25-May-2022
6. DETERMINATION :	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This television advertisement for a fitness machine states that it exercises 80% of all the muscles at the same time. The advertisement contains the phrase "Do you want to get rid of that excess fat and feel more attractive?"

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

I find this demeaning to people who are not considered by todays standards as not attractive if they hold on to excess weight. We have a toxic culture about weight especially with young adolescent girls/ boys that causes eating disorders because they think that if you hold on to weight, you will be seen as less attractive to yourself and your peers so this is how body shaming begins, and as I have seen working in adolescent eating disorder clinics/ mental health sometimes does not end well. Could you please look at this advertisement for these reasons I have discussed. Many Thanks



THE ADVERTISER'S RESPONSE

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

The complainant is concerned that the Advertisement is “demeaning to people who are not considered by today's standards as not attractive (sic) if they hold on to excess weight. We have a toxic culture about weight especially with young adolescent girls/ boys that causes eating disorders because they think that if you hold on to weight, you will be seen as less attractive to yourself and your peers so this is how body shaming begins, and as [the complainant has] seen working in adolescent eating disorder clinics/ mental health sometimes does not end well.” (sic)

The complainant has drawn our attention to the potential for consumers to read into the Advertisement a message that being overweight is less attractive and such viewpoint can have a detrimental effect on some individuals' mental health.

However, in creating the advertisement, Brand Developers' intention was to provide the consumer with a solution to the following issue: finding an effective, full body workout which takes less time and has a lower cost than joining a gym or purchasing a traditional rowing machine. The advertisement does not set out to convey a message that overweight people are unattractive.

We have read the complaint against the AANA Code of Ethics and submit that the Advertisement does not breach any parts of the AANA Code of Ethics, including Sections 2.1, 2.2, 2.3, 2.4, 2.5, 2.6 and 2.7 and that the complaint should be dismissed.

THE DETERMINATION

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

The Panel noted the complainant's concern that the advertisement is demeaning towards people who have excess weight by suggesting that they are unattractive.

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

Section 2.6: Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

The Panel noted the Practice Note to Section 2.6 which includes:

“BODY IMAGE: Advertising must not portray an unrealistic ideal body image by portraying body shapes or features that are unrealistic or unattainable through healthy practices. Unrealistic ideal body image: Advertising that provides an unrealistic ideal body image by portraying body shapes or features that are unrealistic



or unattainable through healthy practices, which is not justifiable in the context of the product or service being advertised, will be contrary to prevailing community standards relating to health and safety.

An unrealistic ideal body image may occur where the overall theme, visuals or language used in the advertisement imply that:

- a body shape, or feature, of the kind depicted (e.g. very thin or very muscular) is required to use the product or service or to participate in an activity associated with the product or service;*
- those people who do not have a body shape, or feature, of the kind depicted cannot use the product or service, or participate in a particular activity; or*
- those people who do not have a body shape, or feature, of the kind depicted should alter their body shape, or features, before they can use the product or service, or participate in a particular activity.*

An unrealistic ideal body image may also occur where models are depicted in a way that:

- promotes unhealthy practices*
- presents an unrealistic body image as aspirational; or*
- is reasonably likely to cause pressure to conform to a body shape that is unrealistic or unattainable through healthy practices (such as diet or physical activities), unless such depictions are justifiable in the context of the product or service advertised.*

BODY SIZE: The Code does not require the use of ‘healthy weight’ models as this term could exclude people in smaller or larger bodies from advertising and unnecessarily limit the portrayal of diversity in society. As such, advertisements may include a diversity of images, including people who have a variety of sizes and shapes, but advertisers should take care to avoid images of people with extreme body weights or shapes that are unrealistic or unattainable through healthy practices which are not justifiable in the context of the product or service advertised, and which are contrary to prevailing community standards relating to health and safety. While the use of people in smaller or larger bodies is itself not necessarily problematic, advertisers must ensure that models do not adopt a pose or are not depicted in a way which produces an unrealistic sense of body image, for example through the style of the advertising, the clothing, lighting, or make-up used. “

The Panel noted that the advertisement states “Do you want to get rid of that excess fat and feel more attractive?”.

The Panel considered that the advertisement refers to feeling more attractive rather than looking more attractive, and considered that many people believe that they would feel better if they lost some weight. The Panel considered that the advertisement is promoting feeling good about yourself rather than looking any particular way, and that such a promotion is not promoting a negative or unhealthy body image.



The Panel considered that promoting exercise is not a negative thing, and noted that the bodies shown in the advertisement appear to be fit and healthy and do not have body shapes that are unrealistic or unattainable through healthy practices.

The Panel considered that the suggestion that some viewers may want to exercise more or lose some weight, and that doing so may make them feel good, is not equivalent to suggesting that people with excess weight are unhealthy or undesirable or that losing weight should be pursued in an unhealthy way.

In the Panel's opinion the advertisement overall does not demean people who consider themselves to have excess weight.

Section 2.6 conclusion

The Panel considered that the advertisement did not contain material contrary to Prevailing Community Standards on health and safety and determined that it did not breach Section 2.6 of the Code.

Conclusion

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