



**ADVERTISING
STANDARDS
BUREAU**

Level 2, 97 Northbourne Avenue, Turner ACT 2612
Ph (02) 6173 1500 | Fax (02) 6262 9833
www.adstandards.com.au
ACN 084 452 666

Case Report

1	Case Number	0243/14
2	Advertiser	Pfizer Australia Pty Ltd
3	Product	Health Products
4	Type of Advertisement / media	Free TV
5	Date of Determination	09/07/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

The television advertisement begins with a computer-generated image (CGI) of a male silhouette and a female voice opens with the question “Do you suffer from pain that won’t go away? It may be something called Nerve Pain”.

Following this the viewer is presented with text that reads “Nerve Pain Feels Different”, in which the “I” in pain is replaced with a schematic depiction of a lightning bolt, simultaneously along with the female narrator who states “Nerve pain feels different”.

The shot then returns to the male CGI figure and the female voice explains that the pain symptoms associated with neuropathic pain have specific descriptors, which are then visually represented on the male CGI figure:

- “It can feel like freezing, numbing pain” is depicted by the CGI character’s shoulder turning to ice,
- “Or electric shocks” is depicted by a series of “electric lightning bolts” radiating from the CGI character’s lower back,
- “Like stabbing pain” is depicted as a rapidly appearing and disappearing sequence of nails on the back (dorsum) of the hand. The sequence very clearly does not involve any piercing or distortion of the skin, nor is there any blood.
- “Pins and needles” is depicted by a series of small pins over the front (patellar region) of the knee, that do not appear to pierce or distort the skin,
- “Or burning pain” is depicted by an orange glow over the feet, reminiscent of burning embers.

Following these visual representations, the image returns to the CGI silhouette and the voice states “If your pain feels like this, it may be nerve pain” and an accompanying text box that reads “It may be nerve pain”, with the “I” in pain replaced by a schematic lightning bolt. The

voice goes on to state “If this is you, ask your doctor about nerve pain today and visit nervepain.com.au”, with accompanying text that reads “Ask your doctor about nerve pain today”, again with the lightning bolt replacing the “I” in pain, followed by a displayed URL to nervepain.com.au, along with the sponsor’s address and logo.

THE COMPLAINT

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

- 1. Too much scary images of nerve pain qnd etc*
 - 2. Back ground is just way off the edge for children watching this ad*
- I mean too scary and they should make it less of NEEDLESS and sharp pins and sharp items*

THE ADVERTISER’S RESPONSE

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

We are sorry to hear that a consumer has raised concern regarding a Pfizer developed television advertisement. The advertisement in question is part of an awareness program intended to help adults gain a better understanding about an important but poorly understood health issue, namely “nerve pain” (neuropathic pain). The advertisement is intended for an adult audience and we have worked with our media purchaser to ensure that this ad was deliberately placed on air during at times expected to reflect a mature viewing audience. We trust the following information, in response to the Complaint, explains our position.

Complaint

Reason for Concern:

“1. Too much scary images of nerve pain qnd etc 2. Back ground is just way off the edge for children watching this ad I mean too scary and they should make it less of NEEDLESS and sharp pins and sharp items” (sic)

Issues Raised to Date:

2.3 – Violence Graphic Depictions

Response to Complaint:

Section 2.3 of the Australian Association of National Advertisers (AANA) Code of Ethics states that:

Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised.

The AANA Code of Ethics Practice Note includes the following relevant element with respect to violence. (Section 2.3)

- Consequences of violence may also be prohibited however graphic depictions of traffic accidents or the consequences of domestic violence may be justified by the community safety message involved*

We do not believe this advertisement meets this criterion. The complaint makes reference to the depiction of sharp objects like pins. The representations in this television advertisement were created to carefully and sensitively raise understanding about a difficult health condition, with the visuals of nails and small pins reflecting the sensations of “stabbing pain” and “pins and needles”, respectively. There is no motion depicted of the nails or pins,

representing no “act of violence” and no suggestion of blood or distortion or piercing of the skin. The important community safety message behind this advertisement, in an attempt to raise awareness of a serious and debilitating illness, far outweighs the negative impact the imagery used may have on a minority of people in the community.

Pfizer Australia is of the view that the imagery used in the advertisement in question is not in breach of Section 2 (and in particular Section 2.3) of the (AANA) Code of Ethics.

Nerve (or “neuropathic”) pain is believed to be caused by damage to nerves resulting from disease, injury or other causes.¹ Examples include conditions such as diabetic nerve pain, nerve pain resulting from a herpes infection and spinal cord injury². Nerve pain is associated with a greater degree of suffering, disability, impaired quality of life and increased healthcare costs compared to other forms of pain^{1,3,4}. The prevalence of nerve pain in the general population has been estimated to be around 7-8%^{1,4}. It is estimated that around 3.2 million Australians live with chronic pain³ and more than 50% of Australian chronic pain sufferers may have a neuropathic component to their pain⁵.

In fact, most nerve pain in the community goes unrecognised and untreated⁴.

Research by the Neuropathy Association reveals that 57% of patients with a diagnosis of neuropathic pain took two or more years to receive a diagnosis⁶.

Experts have suggested that nerve pain should be treated early in the course of its development to help improve outcomes and to prevent it becoming a chronic condition^{7,8}. Appropriate diagnosis and assessment are critical to the successful treatment of nerve pain, with experts advising that patient education and support are critical components of the successful management of nerve pain⁹.

Many people are under the false impression that if a clear medical cause cannot be found for their pain, the pain must be “in their heads” and that they will have to live with it¹⁰.

People often struggle to articulate their symptoms¹¹ and doctors may not always recognise the symptoms and signs of nerve pain. Because nerve pain is distinct from other forms of pain, accurate diagnosis remains a crucial part of effective treatment¹².

Correct diagnosis of the type of pain is extremely important because nerve pain typically does not respond as well to therapies used for other types of pain⁴. The “Nerve Pain Feels Different” advertisement is intended to help patients who may be experiencing nerve pain, better recognise and articulate their symptoms to facilitate them in their discussions with their doctor in order to aid an accurate and speedier diagnosis, which is critical to treatment success.

The imagery in this television advertisement is an attempt to visually portray the symptoms described by patients, (please refer to Table 1) and recognised by many doctors as associated with nerve pain e.g. “freezing”, “burning” and “shock-like” pain¹².

Table 1. Pain symptoms described. Q1a. How would you classify your pain on a scale from 1 to 10 where 1 means mild and 10 means severe? S6. Which of the following phrases would best describe the pain that you experience?

The advertisement is intended to be a call to action for people to consider speaking to their doctor about a potential nerve pain diagnosis and also directs them to an educational website where they can learn more about nerve pain, complete a questionnaire to help facilitate discussions with their doctor and hear insights from other people who are living with nerve pain (please refer to Figure 1).

Figure 1. Advertisement market research. QA4. Please indicate if you agree or disagree with each of the following statements after viewing the ads.

This consumer awareness program commenced on the 1st July 2013 and involves a number of advertising media including digital (online) advertisements, radio, print and television.

The TV advertisement has achieved 24.1 million gross impressions since January this year.

Table 2. Total TV Impressions

Total TV Gross Impressions (People, 000s)

Sydney 7,888

Melbourne 8,194

Brisbane 4,007

Adelaide 1,902

Perth 2,172

Pfizer Australia has worked closely with a media agency (Match Media) to ensure appropriate media placement for these advertisements in order to best reach our target audience: primarily people aged 40-60 years, based on prevalence of nerve pain. These are the people for whom awareness and understanding of nerve pain is thought to be most relevant (See Figure 2).

Figure 2. Age-specific rates of neuropathic pain (with 95% confidence limits)²

Pfizer Australia has specifically targeted key television viewing times in order to reach people who are actively looking for information around their health, with a view that our Nerve Pain messaging will likely resonate with some of this audience.

Additionally, the complaint refers specifically to children being exposed to this advertisement. Advertising or Marketing Communications to Children means Advertising or Marketing Communications which, having regard to the theme, visuals and language used, are directed primarily to Children and are for Product. "Product" is defined in the Code for Advertising & Marketing Communications to Children as follows: Product means goods, services and/or facilities which are targeted toward and have principal appeal to Children.

Children means persons 14 years old or younger and Child means a person 14 years old or younger.

- Pfizer Australia's advertisement was not primarily directed to children ages 14 years or younger*

- Pfizer Australia's Advertisement is not in relation to a product.*

Accordingly the Code for Advertising and Marketing Communication to Children is not applicable to Pfizer Australia's advertisement.

Pfizer Australia's deliberate action to work with a media agency to ensure appropriate placement of this ad has helped to ensure that this message is not directed at children.

Pfizer Australia is of the view that the benefits of this campaign – raising awareness of a serious and debilitating health issue – far outweighs the disadvantages of potentially offending a small number of people. Graphic images are often used in advertisements for serious health issues e.g. stop smoking advertisements, motor vehicle accident advertisements. Non-smokers and safe drivers may indeed find such images offensive or disturbing, but the health message is considered to outweigh any potential for harm (see Table 4, below, examples taken from the ASB website).

In August of 2013, a similar complaint was dismissed by the ASB regarding a similar advertisement from the "Nerve Pain Feels Different" campaign, depicting a hand with nails (Complaint Reference Number: 0303/13), in a digital (online) advertisement.

In that complaint (0303/13), the Board commented on the image of a hand with nails sticking in it. The Board's determination at that time was that the image is clearly unrealistic and considered that it is apparent that it is a metaphor for pain and that the image is justifiable in the context of the pain-related health message.

Similarly, in complaint 0303/13, the Board noted the complainant's concerns about children being exposed to the ad in question. At the time, the Board acknowledged that the advertiser had deliberately intended an adult audience between the ages of 40-60 years, making it unlikely to be viewed by children. Nevertheless, the Board found that even if children were to see that advertisement, it was not considered graphic or realistic and consequently not in breach of Section 2.3 of the Code.

Table 4. Previous Complaint Outcomes

0423/11

Transport Accident Commission

Close up image of a hand with broken fingers and blood. The text reads, "Hands up who can't be bothered with motorcycle gloves." Community Awareness Dismissed 09/11/2011

Billboard

0378/10

Transport Accident Commission

A man describes how his impaired vision makes his life difficult and is especially hard for his mum as he struggles to do things for himself. He then says that the one thing he can still see is the accident he had where he removed his seatbelt for a few seconds so that he could reach something. He describes the accident and we hear the sound of a car crashing. The man describes how he took his hands away from his face and saw they were covered in blood, and we see this happening. He then removes the glasses he had been wearing and we see that one of his eyes is almost completely white. The screen then goes black and the following text appears in white: "40 years of seatbelts. Belt up, or suffer the pain. TAC." Community Awareness Dismissed 08/09/2010 TV

0163/13

Australian National Preventive Health Agency

The advertisement in question asks the viewer to imagine being buried alive to simulate the effects of breathing problems caused by smoking. Community Awareness Dismissed 22/05/2013 Pay TV

0312/12

Cancer Institute of NSW

The commercial opens on an image of a surgeon in an operating theatre. The surgeon explains how toxic chemicals from smoking enter into a smoker's blood stream and travel to all parts of a smoker's body, resulting in gangrene. At the same time, a man on an operating table is seen being prepared to have his gangrenous foot amputated. Smokers are reminded to think about the health consequences of smoking every time they reach for their cigarette pack. Community Awareness Dismissed 08/08/2012 TV

0303/13

Pfizer Australia Pty Ltd

Nerve pain advertisement

This is the link to the specific advertisement

<https://www.morethanmedication.com.au/Health-Topics/>

[Nerve-Pain/nerve-pain-feels-different/](https://www.morethanmedication.com.au/Health-Topics/Nerve-Pain/nerve-pain-feels-different/)

?utm_source=Exponential%20AU&utm_medium=&utm_content=Homepage_health%20100%20Sponsorship_&utm_campaign=lyrica Health Products Dismissed 11/09/2013 Internet

For the reasons stated above, Pfizer Australia does not believe that the material which is the subject of this complaint breaches Section 2.3 of the AANA Code of Ethics. I hope this information clarifies that it was never our intention to cause any consumer concern through the placement of this material and that it we have taken deliberate action to ensure an appropriate viewer audience. We believe that this is an important health issue and it is one that we have approached with care, consideration and diligence.

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 depicts scary images of nerve pain which are not appropriate for children to view.

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 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 features a silhouetted man experiencing different types of nerve pain indicated through the use of needles in his body or the appearance of being on fire.

The Board noted it had previously dismissed an Internet advertisement for the same advertiser in 0303/13 where:

“The Board noted that the image of the nails sticking in the hand is clearly unrealistic and considered that it is apparent that it is a metaphor for pain. The Board noted the advertisement is for pain relief and considered that the image is justifiable in this context. The Board noted the complainant’s concerns about children seeing the advertisement. The Board noted the advertiser’s response that their intended audience is adults aged between 40 and 60 years and that the advertisement had been placed on health/news websites. The Board noted that the placement of the advertisement makes it unlikely to be viewed by children but considered that even if children were to see the advertisement it is not graphic or realistic.” The Board noted that the current advertisement had been rated “W” by CAD which means it could be seen by children. The Board noted the complainant’s concern that the images in the advertisement would be too scary for children and considered that the images of the man experiencing different types of nerve pain are presented in a clinical and unrealistic manner. The Board noted that the tone of the advertisement is very serious but considered that if children were to see the advertisement in the Board’s view the images are not scary and unlikely to cause distress due to their unrealistic presentation.

Based on the above the Board considered that the advertisement did not breach Section 2.3 of the Code.

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