



**Ad Standards** Community Panel  
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**AdStandards.com.au**

Ad Standards Limited  
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## Case Report

<b>1. Case Number :</b>	<b>0249-21</b>
<b>2. Advertiser :</b>	<b>Mosh</b>
<b>3. Product :</b>	<b>Health Products</b>
<b>4. Type of Advertisement/Media :</b>	<b>TV - Pay</b>
<b>5. Date of Determination</b>	<b>8-Sep-2021</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification  
AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

This Pay TV advertisement has two versions.

#### Version 1:

This TVC starts with Steven Bradbury as a host of a make-believe sports program which gets interrupted by a buffering wheel. This is followed by an animation in which a male character reassures the audience that their TV is working fine assuming the audience likely tried to fix their buffering wheel.

Steven Brabbury VO: Incredible comeback this week! The team didn't settle for the loss, check this out...

Animation VO: Relax fellas, the screen's working fine. But look how quick you were to try and fix it. So when things start thinning on top, why are we men so quick to hide it? Through MOSH, you can seek treatment for your Hair Loss, 100% online. For personalised, affordable and clinical hair loss treatment, delivered to your door...Get MOSH. Men's Health Made Easy.

#### Version 2:

This TVC features with Wayne Carey speaking to camera.

VO: G'day, Wayne Carey here to talk about the one thing more important than footy. Men's health – with Mosh – your online men's health clinic. Hair loss, hair loss, hair



loss, hair loss ... Blokes can get a bit embarrassed or lazy about finding solutions for this stuff. Head to Get Mosh .com .au, for proven treatments by accredited Aussie doctors. It's all online, discreet, and affordable – with treatments delivered fast and free. So c'mon lads, get YOUR health sorted, at Get Mosh.com .au.

### **THE COMPLAINT**

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

*Advertisement suggests that men's health issues can be simply addressed by undertaking hair loss treatment.*

*Find the ad extremely offensive and trivialises a serious issue of mental health by suggesting it can be easily fixed by their superficial treatment.*

*Fixing mental health is a far bigger issue than a head of hair. To suggest by fixing your hair will help fix all your mental health issues is ridiculous and offensive.*

*The MOSH ad which I am complaining about has a cartoon man being insulting and patronising by saying: "relax, fellas" because it assumes only men leap up to fix their television picture never women. The sexism is blatant. Not vicious sexism obviously but the ad quickly suggests that male-pattern-baldness is a result of bad health, which is not medically or scientifically proven. Tell it to Sean Connery or Bruce Willis. This is false advertising branding perfectly healthy men as un-healthy in the eyes of society, therefore breaking TV's code of conduct. If you have any values you'll relay this complaint to MOSH and take the ad off.*

### **THE ADVERTISER'S RESPONSE**

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

*Our response to the complaints addressing the issues raised:*

1) *AANA Code of Ethics\2.6 Health and Safety\Within prevailing community standards*

*First of all, Mosh is a men's online health platform through which you can seek treatment for a range of health issues including hair loss, erectile issues, skin health, mental health and selection of chronic illnesses:*

*<https://www.getmosh.com.au/hair-loss>*

*<https://www.getmosh.com.au/erectile-dysfunction>*

*<https://www.getmosh.com.au/premature-ejaculation>*

*<https://www.getmosh.com.au/skin>*

*<https://www.getmosh.com.au/mental-health>*

*<https://www.getmosh.com.au/everyday-health>*



*Through Mosh, you can chat to Australian doctors and access treatment plans depending on suitability determined by the doctors. Mosh is more than a hair loss clinic.*

*Second, hair loss is a legitimate health issue and it is not only incorrect but also absurd for anyone to consider it otherwise. You can see from reputable health and medical sites as such (examples below on WebMD, Health Line and American Academy of Dermatology). Hair loss is a health issue and that is why medical practitioners can diagnose and treat it.*

*<https://www.webmd.com/skin-problems-and-treatments/hair-loss/default.htm>  
<https://www.healthline.com/health/hair-loss>  
<https://www.aad.org/public/diseases/hair-loss/treatment>*

*All health issues are important and it is not up to anyone – neither Mosh, nor the TV audience - to judge which health issue is “a bigger issue” and which health issue is “trivial”. Mosh believes in the responsibility to empower the individuals experiencing any health issues to be able to seek treatment: empower people with the knowledge that there is an availability of treatment and empower people to feel normal to seek help as they see fit.*

*The type of language that is used in the complaint to trivialise certain health issues – such as hair loss – is exactly the reason why men feel that there is a stigma around seeking treatment for them. No one should be forced to feel ashamed or “superficial” for seeking clinical treatment for what to them can be a serious health issue. For instance, according to Dermnetnz.org (<https://dermnetnz.org/topics/psychological-effects-of-hair-loss/>) “the evidence confirms that the experience of hair loss is psychologically damaging, causing intense emotional suffering, and often leading to personal, social, and work-related problems. People with severe hair loss are more likely to experience psychological distress than those with mild hair loss”. Mosh has treated over 30,000 Australian men and numerous positive reviews and testimonials are about men feeling happier and gaining confidence back. Mosh will continue to fight this type of language presented in the complaints that trivialises men’s health issues and will dedicate ourselves to the mission of breaking down the stigma around what can be considered “embarrassing” issues.*

*On a related note, in response to the complaint that claims that “[Mosh states] that male-pattern-baldness is a result of bad health, which is not medically or scientifically proven”, we need to first clarify that nowhere in our TVC do we say or even suggest that male pattern baldness is a RESULT of bad health. What we ARE saying is that hair loss falls into a category of male health – evidence for this has been provided above. Also, hair loss is a larger category and ‘male pattern baldness’ is only one type of hair loss (<https://www.healthline.com/health/male-pattern-baldness>). We don’t ever refer to male pattern baldness specifically in our TVC. Additionally, while we never say hair loss is a result of bad health, I’d still like to note that there are scientific researches that show how different health issues, illnesses and even bad habits can certainly lead*



to hair loss (<https://www.aad.org/public/diseases/hair-loss/causes/18-causes>). A few of the examples for cause of hair loss other than genetics from AAD include:

- \* Too little biotin, iron, protein, or zinc
- \* Pulling your hair -Some people pull on their hair, often to relieve stress.
- \* Hairstyle pulls on your scalp- If you often wear your hair tightly pulled back, the continual pulling can lead to permanent hair loss.
- \* Scalp psoriasis- Many people who have plaque psoriasis develop psoriasis on their scalp at some point. This can lead to hair loss.
- \* A possible side effect of some medications is hair loss.
- \* A scalp infection

Lastly, to address the complaint “to suggest by fixing your hair will help fix all your mental health issues is ridiculous and offensive”, we simply need to note that this is factually incorrect, simply not true - never in our TVCs do we say that treating hair loss is a way to fix your mental health issues. This logic is never stated or even inferred. However, as noted previously with evidence, there are researches which showcase that hair loss can cause psychological issues. Mosh takes pride in the fact that we can help those in need.

## 2) AANA Code of Ethics\2.1 Discrimination or Vilification\Gender

First of all, Mosh is a men’s online health platform. While we welcome everyone to use our platform (in fact, majority of our mental health patients are female) we have built Mosh with an aim to help men take a more proactive approach to taking care of themselves. There are lots of statistics around how men, compared to women, seek medical help less often. Below are excerpts from Better Health of Victorian government (<https://www.betterhealth.vic.gov.au/health/conditionsandtreatments/mens-health>):

*“Compared to women, Australian men not only see their GP less often, but when they do access a health professional it is for shorter consultations, and typically when a condition or illness is advanced”*

*This provides a context as to why we have built Mosh as a men’s online health platform. As such, our TVC is messaged for our core target audience – men. It is not justified to claim that just because our TVC is targeted for men, that makes it “blatant sexism”.*

*The argument is so far-fetched that I’d like to show an example of a female-focused advertisement that was widely considered a success and praised for raising the awareness for and changing the conversation around female beauty: Dove’s campaign for Real Beauty. Please find the campaign footage here: <https://www.youtube.com/watch?v=XpaOjMXyJGk>*

*If we were to take the cynical attitude of the person who has submitted a complaint against our ad, this acclaimed Dove’s Real Beauty campaign should also have received*



*complaints around how it is blatant sexism to suggest that only females are beautiful, not males.*

*Second, according to the Merriam-Webster dictionary, Fella can be an informal noun for 'man' which can be defined as "an individual human". As such, there is no sexism.*

*Lastly, I would like to add a personal note that as a female, I head up the marketing team at Mosh. I come from a strong female empowerment background (have studied feminism and taken up Women's Studies courses) so I believe that I'm well suited to build a well-balanced and honest brand that does not discriminate against any specific groups of people. Helping to make genuine progress for one group does not need to come with an oppression of the other. I have joined Mosh because this is a company that is truly driven by its admirable mission - our co-founders remind us that we are missionaries, not mercenaries. Mosh will continue to provide an easy, safe and affordable way for men to seek treatment for a range of health issues.*

## **THE DETERMINATION**

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

The Panel noted the complainants' concerns that the advertisement:

- Is sexist
- Suggests that hair loss is a result of bad health
- Trivialises mental health by suggesting that by fixing hair loss can fix men's health.

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

**Section 2.1: Advertising or Marketing Communication shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.**

The Panel noted the AANA Practice Note which provides guidance on the meaning of:

- Discrimination - unfair or less favourable treatment
- Vilification - humiliates, intimidates, incites hatred, contempt or ridicule
- Gender – refer to the attributes, roles, behaviours, activities, opportunities or restrictions that society considers appropriate for girls or boys, women or men. Gender is distinct from 'sex', which refers to biological difference.

The Panel noted the Practice Note for this section of the Code states:

*"Harmful gender stereotypes are unacceptable because they perpetuate unconscious bias and rigid norms of femininity and masculinity that shape what it means to be a girl, woman, boy or man...Advertisements for services or activities only available to one gender are legally able to be advertised and*



*highlighting this key feature in advertising does not amount to discrimination or vilification.”*

The Panel considered that advertisers should take care that characteristics referred to in advertising should not be negatively associated with a particular gender. The Panel considered that the Practice Note was designed to encourage advertisers to avoid using gender stereotypes in advertising and also considered that advertisers should take into account that social attitudes are evolving and the community is becoming less tolerant of gender stereotyping.

The Panel noted the complainant’s concern with the first version of the advertisement being sexist, because it states that “fellas” would be the ones to try and fix their televisions.

The Panel considered that advertisers are able to target their advertising towards a particular demographic and considered that the advertisement did not refer to men in a negative tone and did not suggest that only men are concerned about broken televisions. The Panel further noted that the advertisement is specifically targeted at men, and that it is reasonable for the advertisement to directly address “fellas”.

The Panel also noted the complainants’ concern that the advertisement suggests that hair loss is a result of bad health, and this is discriminatory towards men with hair loss.

The Panel noted that the advertiser is a men’s health website and that hair loss treatment is one of the services offered. The Panel considered that the advertisement did not state any causes of hair loss, and did not suggest that hair loss was a result of bad health.

The Panel considered that the content of the advertisement did not show men to receive unfair or less favourable treatment, and did not humiliate, intimidate or incite hatred, contempt or ridicule of men.

### **Section 2.1 conclusion**

The Panel 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 determined that the advertisement did not breach Section 2.1 of the Code.

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

The Panel noted the complainants’ concerns that the advertisement trivialises mental health by suggesting that fixing hair loss can fix men’s health.



The Panel noted that neither version of the advertisement mentioned mental health, only men's health.

The Panel noted that both versions of the advertisement mentioned that men may feel embarrassed or lazy when it comes to seeking treatment for hair loss and that this could be addressed by this men's health service.

The Panel considered that the advertisements did not trivialise the important issue of mental health or portray material which would be contrary to prevailing community standards in relation to men's health.

### **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 any other section of the Code the Panel dismissed the complaints.