



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

Ad Standards Limited  
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## Case Report

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| <b>1. Case Number :</b>                 | <b>0258-20</b>   |
| <b>2. Advertiser :</b>                  | <b>GlaxoSmithKline Consumer Healthcare<br/>Australia Pty Ltd</b> |
| <b>3. Product :</b>                     | <b>Health Products</b>   |
| <b>4. Type of Advertisement/Media :</b> | <b>TV - Free to Air</b>  |
| <b>5. Date of Determination</b>         | <b>9-Sep-2020</b>  |
| <b>6. DETERMINATION :</b>               | <b>Dismissed</b>   |

### ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

This television advertisement begins with a man lying in bed in the dark looking at the busy calendar on his phone. He is then shown dressed and leaving the house, still in the dark. He pauses, and turns back to pick up a packet of Panadol Rapid from the kitchen bench. He is then depicted in several scenes at an office, appearing busy and eating while working. He looks at a photo of his daughter on his desk and then leaves work, picking her up from school.

The voiceover in the advertisement states:

When did every day started to feel like 'one of those days'? It's why we developed Panadol Rapid. Absorbed 2X faster than regular Panadol tablets - so you can keep pace with the day. The thing is, today's pace. It takes a toll...It's time to rethink how we look after ourselves. Because every positive change, no matter how small, can make all the difference. Together, let's rethink care.

### THE COMPLAINT

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

*This advert doesn't portray the responsible use of a pain killer. It portrays Panadol as an everyday medication that you take as a preventative. The ad doesn't establish the character is pain or discomfort and then shows him happy and taking on the day after picking up the packet. The ad's voice over says "It's time we rethink how we look after*



*ourselves" and then shows the packet. It comes across like 'rethinking how we look after ourselves' means by medicating more often for normal everyday things. Like dumbing yourself to the smallest stimulus.*

*Medications like Panadol and Nurofen are incredibly taxing on the body and liver to eliminate from the system. Just because they are over the counter medications doesn't mean they don't negatively affect the body when used.*

*This ad portrays taking Panadol like taking a multivitamin, to help you get the most out of your day...*

## **THE ADVERTISER'S RESPONSE**

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

### *Description of the advertisement:*

*The purpose of the advertisement, which is part of the Panadol Masterbrand's 'Rethink Care' campaign, is to show the impact the fast pace of modern life has on us, and the importance of making small changes to our lifestyles to improve our well-being.*

*The advertisement depicts a man going about his hectic and fast-paced workday, looking worn-out and tired from working, missing his family, and finally leaving work early to pick up his young daughter. The overall message is that the rapid pace of modern life can take a toll on our health, and that Panadol Rapid is there to support our consumers when they need fast-acting pain relief.*

### *Nature of the complaint and response*

*The complaint alleges that the advertisement breaches Section 2.6 of the AANA Code of Ethics, which states that 'advertising or marketing communications shall not depict material contrary to Prevailing Community Standards on health and safety.'*

*The complainant alleges that the advertisement encourages the irresponsible use of Panadol as an everyday preventative medication, portraying painkillers in a similar light to multivitamins. The complaint further asserts that the advertisement suggests that consumers should 'rethink how we look after ourselves' by taking more painkillers.*

*GSK confirms that it takes the responsible portrayal of medication usage and compliance with health and safety standards seriously. GSK further contends that the complaint is an obvious misinterpretation of the advertisement, which in no way encourages the audience to gratuitously consume Panadol in a similar manner to multivitamins. While Panadol Rapid pack shots are shown throughout the advertisement, the man is never depicted taking Panadol Rapid. The intended message is that Panadol Rapid is a trusted and reliable product for when the need for fast-acting pain relief arises, but there is no suggestion that consumers should be*



*taking pain-relief medication more often. On the contrary, the advertisement and 'Rethink Care' campaign asks audiences to 'rethink' how their lifestyle choices impact their wellbeing, and to approach health holistically by looking for solutions 'beyond the pill'.*

*GSK does not condone the incorrect use of medicine and has ensured that the advertisement portrays medication use responsibly by undertaking the following actions:*

*(a) Consumer Healthcare Products Australia (CHP) Approval*

*GSK is a member of CHP, a peak body whose mission is to ensure consumers can make informed choices about their health. As a member of CHP, GSK is bound to follow the ASMI Code of Conduct, an ethical standard which requires members to ensure that their advertisements responsibly inform consumers about products, make accurate and balanced claims, and promotes the safe use of medicines.*

*GSK submitted the advertisement to CHP for review and obtained their approval (attached). GSK considers CHP approval a clear indication that the advertisement reflects prevailing community standards on health and safety.*

*(b) Use of mandatory statements and disclaimers*

*GSK is committed to responsible advertising and ensures that the appropriate mandatory statements and disclaimers are clearly portrayed onscreen. In the advertisement in question, the following statements appear on screen for 11 seconds in clearly legible font:*

*'Use Panadol Rapid for the temporary relief of pain. Always read the label. Follow the directions for use. If symptoms persist, talk to your healthcare professional. Incorrect use can be harmful.'*

*These prominent statements communicate to consumers in no uncertain terms that Panadol Rapid is intended for the temporary relief of pain only and should be used in accordance with the label directions or with the advice of a healthcare professional.*

*In addition to the above, we note that we are required to address all parts of Section 2 of the AANA Code of Ethics. We have thoroughly reviewed this section and are confident that the advertisement is fully compliant with the code.*

*GSK is committed to ensuring that its advertisements adhere to the AANA Code of Ethics and prevailing community standards.*

## **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 complainant's concern that the advertisement doesn't portray the responsible use of a pain killer and suggest that Panadol is an everyday medication that you may take every day including as a preventative.

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

The Panel considered whether the advertisement complied with 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 Panel noted the advertiser's response that the overall message of the advertisement is that the rapid pace of modern life can take a toll on health and that the product can help consumers when they need fast pain relief.

The Panel noted the complainant's concern that the man in the advertisement is not seen to be obviously in pain and the advertisement appears to be suggesting you should take the medication preventively. The Panel considered that there are many invisible illnesses which people can suffer from, and that their pain cannot always be seen by others.

The Panel noted the statement, 'when did every day start to feel like one of those days' in the advertisement and considered this was in reference to the multiple meetings on the man's calendar and the early morning start. The Panel considered that there was a suggestion that the man's busy schedule may lead to a headache or other pain for which pain relief is required. The Panel noted that the character in the advertisement is not seen to take the medication, only to take it with him to work and to have it sitting on the desk in front of him. The Panel noted that the end of the advertisement relates to 'rethinking care' and there is a strong suggestion that alternatives to taking pain relief medication should be explored.

The Panel considered the complainant's concern about using painkillers every day. A minority of the Panel considered that the reference to 'every day' contained a strong implication that the medication was designed for everyday use, and that the rest of the advertisement did not sufficiently overcome the initial implication. The majority of the Panel considered that there was no overt encouragement to use the medication every day. The majority considered that the overall impression of the advertisement is that you should have the product on hand if you need fast pain relief, and that you should also consider other ways to look after yourself.

The Panel considered that most members of the community would consider it reasonable that someone with a busy schedule keeps pain relief medication with them. The Panel considered there was no suggestion that this medication should be taken every day, and there is no suggestion that the man in the advertisement takes the medication at all.



The Panel considered that the advertisement did not condone or portray irresponsible use of a pain killer which would be against prevailing community standards.

On this basis, the Panel considered that the advertisement did not contain material which would be contrary to Prevailing Community Standards on health and safety and determined that it did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach any other section of the Code the Panel dismissed the complaint.