



Case Report

1	Case Number	0294/12
2	Advertiser	Heart Foundation (WA Division)
3	Product	Community Awareness
4	Type of Advertisement / media	TV
5	Date of Determination	08/08/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.6 - Health and Safety within prevailing Community Standards
- 2.3 - Violence Causes alarm and distress
- 2.3 - Violence Causes alarm and distress to children
- 2.3 - Violence Community service advertising
- 2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

There are three advertisements as part of the LiveLighter campaign launched in Western Australia on 24 June 2012. There is one 30 second advertisement ("Leftover pizza") and there are two 15 second advertisements ("Unhealthy snacks" and "Walk to shops"). "Leftover pizza" shows a man grab leftover pizza, then grab a roll of fat around his belly and re-consider his choice. The camera zooms inside his stomach to show visceral "toxic" fat around his organs. "Unhealthy snacks" shows a woman pick up potato chips then change her mind when she thinks of "toxic fat" and put them back on the shelf. "Walk to shops" shows a woman about to pick up the car keys then change her mind when she thinks of "toxic fat" and walk instead.

THE COMPLAINT

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

This ad is more graphic than the video games the media is constantly putting down.

I was put off my HEALTHY tea and my poor son (who is 4) started crying and covered his eyes.

This is not an appropriate add for television let alone at tea time. I don't watch the CSI programs because they show peoples insides but at least I know they're coming on and I can look away or choose not to watch. With this ad I had no choice it was thrust in my face before i had a chance to look away. The news has to warn of graphic images so why don't TV ads.

I do not allow my son to view violent and graphic programmes on TV but this ad just undid all my censorship in one move.

I am not a doctor, I am not a crime scene investigator therefore I do not wish to see people's internal organs. Not at tea time and not so as it scares my child.

What is the government thinking??????????????

I believe the contents of the ad are far too graphic. I do understand that there needs to be some 'shock' factor to ads of this nature to get the message across to those who it is targeted towards...On the other hand for the majority of the population who have to witness this kind of material especially during meal times etc. is not needed and shouldn't be allowed on television before certain hours (much the same as censoring for television shows which are considered graphic and for mature audiences - but are nowhere near as graphic as this ad...) This ad should not be shown on television and if it is it should be restricted to certain hours. The demographic who this ad targets can be addressed about this issue in another way without having to make the rest of us sick and turning us off our food while we are watching a perfectly clean television show.

In the case of a quit smoking commercial I can understand that the viewer needs to be shocked by graphic images and encouraged to quit smoking. Live lighter are using the same tactics in their campaign. The problem being that there are kids with eating disorders such as anorexia nervosa who are seeing the message that they need to quit eating. We need to eat and yes we need to eat healthy foods but it is about balance and exercise and this commercial is not focusing on these crucial aspects of healthy living. The images are too graphic and reinforce the fear of food that a person with anorexia has. It is irresponsible advertising.

THE ADVERTISER'S RESPONSE

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

As at 2010, close to 4.4 million adult Australians are obese – that's around 1 in 4 of us. This is a serious health issue as being an unhealthy weight increases your risk of developing chronic diseases including:

- Coronary heart disease*
- Type 2 diabetes*
- Certain types of cancer (including cancers of the oesophagus, pancreas, bowel and breast)*
- High blood pressure*
- High cholesterol*
- Gall bladder disease*

- Gout
- Arthritis and other joint diseases
- Sleeping problems, including sleep apnoea

LiveLighter is a public education campaign designed to address the serious issue of unhealthy weight. The campaign is based on a thoroughly researched behavioural model on how to encourage behaviour change across populations, provided by one of Australia's leading behavioural scientists in this area, Professor David Hill OA, from Melbourne University.

At no time does LiveLighter show any "violence". Instead, the advertisements incorporate real surgical footage to draw attention to, and provide understandable explanations about, central adiposity [internal fat deposits]. The intention is to take viewers inside their bodies to demonstrate the real and serious health consequences of being overweight. Many public health campaigns have used similar techniques in the past, such as anti-tobacco advertisements.

Our focus is to promote healthy weight, healthy food choices and physical activity. The campaign is supported by a comprehensive website and resources to encourage and support healthy lifestyle changes.

The advertisements are targeted at WA adults – 66% of whom are overweight or obese. While the main target audience for the advertisements are overweight adults, it is our hope that the advertisements also resonate with adults in a healthy weight range – to encourage them to maintain their healthy behaviours and avoid becoming an unhealthy weight. In respect of the theme, visuals and language used it is clear and apparent that the advertisements are targeted at adults, not children.

In developing the LiveLighter campaign we extensively tested our advertisements, messages and information resources with adults (parents and non-parents) from a range of ages, genders, ethnicities, education levels, weight ranges and socio-economic status'.

These advertisements tested extremely well in terms of capturing people's attention and delivering the very important message about the serious health consequences of being an unhealthy weight, as well as simple actions that people can take to reduce their risk, while being unlikely to generate unintended consequences.

The campaign is being comprehensively evaluated by Australia's leading experts in assessing the impact of public education campaigns.

In specific response to all aspects of the advertising codes:

2.1 The advertisements in no way reference nationality, sexual preference, religion, disability, mental illness or political belief. The advertisements show people from a range of races, ethnicities, genders and ages in a sensitive and appropriate manner.

2.2 The advertisements do not employ sexual appeal in any form.

2.3 The advertisements do not portray violence of any form.

2.4 The advertisements at no time reference sexuality or show nudity and show both genders in a sensitive and appropriate manner.

2.5 The advertisements are targeted at adults, use plain and simple language and do not use any strong or obscene language.

2.6 The advertisements do not depict any material contrary to Prevailing Community Standards on health and safety.

And in respect of the theme, visuals and language used it is clear and apparent that the advertisements are targeted at adults, not children.

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 complainant’s concern that the advertisement depicts graphic images of internal organs and that these images are not appropriate for viewing on television.

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 of the Code 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 depiction of graphic images within advertising and marketing communications was reasonably considered a portrayal of violence for the purposes of the Code.

The Board noted that the advertisements are rotated as part of a campaign. There are three advertisements as part of the Live Lighter campaign launched in Western Australia on 24 June 2012. There is one 30 second advertisement (“Leftover pizza”) and there are two 15 second advertisements (“Unhealthy snacks” and “Walk to shops”). Each of the advertisements shows the same image of the inside of the human body and fatty deposits accompanied by bubbling sound effects.

"Leftover pizza" shows a man grab leftover pizza, then grab a roll of fat around his belly and re-consider his choice. The camera zooms inside his stomach to show visceral "toxic" fat around his organs.

"Unhealthy snacks" shows a woman pick up potato chips then change her mind when she thinks of "toxic fat" and put them back on the shelf.

"Walk to shops" shows a woman about to pick up the car keys then change her mind when she thinks of "toxic fat" and walk instead.

The Board considered that the images of the adults in different scenarios are realistic and likely to assist the viewer with making a connection to situations in their own lives. The Board considered that the scenarios are relevant to the important public health and safety message that the advertisement is conveying and that the graphic nature of the images was justified by the important public health message.

The Board agreed that the images displayed in the advertisement were confronting, but did not think they were excessive and noted the important message underlying the images used in the advertisement.

The Board noted the advertiser’s response that the advertisement complied with Commercial Television Industry Code of Practice and the advertisement was classified with a “W” rating and only appears in the appropriate timeslots for the rating given.

The Board considered that most members of the community would be in support of the message being advertised in this manner for the benefit of the community as a whole and that the images gave the advertisement greater impact, and that this was justifiable by the significant message being advertised.

The Board considered that the broadcast of this advertisement in a television environment was not inappropriate. The Board noted that it had also considered these advertisements as part of the Cinema campaign (case reference 310/12) and dismissed the complaints.

The Board determined that the advertisement did not present or portray violence that was unjustified in the context of the product being advertised and 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 complaint.