



Case Report

1	Case Number	0335/10
2	Advertiser	Reckitt Benckiser (Aust) Pty Ltd
3	Product	Health Products
4	Type of Advertisement / media	TV
5	Date of Determination	11/08/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens with a man on a plane saying that he doesn't feel well and that he has a bad cold. He looks hot and drowsy and has a red nose. He then drinks a Lemsip and we can see that he is a sky diver waiting to do a tandem jump. A male voiceover explains that Lemsip can tackle symptoms of colds in under 10 minutes, and a clock starts counting down. When the clock's alarm goes off, the man looks considerably better and jumps out of the plane.

The final shot is of a mug, a packet of lemsip and the words "All you need is Lemsip".

THE COMPLAINT

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

This advertising could lead to an inexperienced person believing he or she could go on a similar tandem jump with a severe head cold by simply relieving the symptoms temporarily with lemsip before arriving for the jump.

This type of activity could lead to severe ear pain and likely permanent hearing damage. A lot of these types of jumps are booked in advance or given as gifts making the jumper vulnerable to pressure not to opt out for fear of being thought of as a wimp.

THE ADVERTISER'S RESPONSE

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

In this advertisement a sky diving instructor is suffering from cold & flu symptoms including fever. In order to continue with his daily business, he takes 'Lemsip Cold & Flu with Decongestant' to provide fast relief from these symptoms. The advertisement shows Lemsip starting to work in 10mins, allowing the instructor to go ahead with his daily chores. Reckitt Benckiser do not mean to imply that taking Lemsip will enhance your ability to do such activity as sky diving, or encourage any activity outside your daily routine. 'Lemsip Cold & Flu with Decongestant' has been approved by the Therapeutics Good Administration for relief of cold & flu symptoms, including body aches and pains, sore throat, headache, nasal congestion and fever.

This advertisement has also received prior approval from ASMI (Australian Self-Medication Industry), as required by the Therapeutic Goods Advertising Code, to ensure compliance with this code (approval certificate attached). We would also like to note that this advertisement was initially aired in approved in 2008 and again in 2009 and to date we have not received any other complaints of this nature.

Reckitt Benckiser is committed, in this and all its advertising, to upholding a high standard of social responsibility. The Lemsip advertisement does not contravene any sections on the AANA Advertiser Code of Ethics. The advertisement is directed at adults and not children and so does not infringe the AANA Code for Advertising to Children (Section 2.4). The advertisement abides by the Prevailing Community Standards on Health and Safety (Section 2.6). Lemsip is neither a food nor beverage, and therefore is not in breach of the Food & Beverage Advertising & Marketing Communications Code (Section 2.8).

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 depicted dangerous practice by encouraging inexperienced people to believe they can go on a tandem parachute jump whilst suffering from a severe head cold, and that this type of activity could lead to severe ear pain and likely permanent hearing damage.

The Board carefully viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement complied with section 2.6 of the Code which requires that advertisements not depict material that is contrary to prevailing community standards on health and safety.

The Board noted that it is the parachute instructor who is shown to be suffering from a head cold in the advertisement and that this would imply he has the experience to know whether he is in a fit and healthy condition to do the parachute jump. The Board also noted that the

advertisement is not encouraging people to do something outside of their normal routine: the parachutist is an instructor and so this is something he does regularly.

The Board considered that the tone of the advertisement was exaggerated and unrealistic, with a depiction of the animated Lemsip object, and not a suggestion of realistic behavior when skydiving.

Based on the above, the Board considered that the advertisement did not depict material that is contrary to prevailing community standards on health and safety and does not breach the Code.

Finding that the advertisement did not breach the Code on any grounds, the Board dismissed the complaint.