



**Ad Standards** Community Panel  
PO Box 5110, Braddon ACT 2612  
P (02) 6173 1500 | F (02) 6262 9833

**AdStandards.com.au**

Ad Standards Limited  
ACN 084 452 666

## Case Report

<b>1. Case Number :</b>	<b>0342-19</b>
<b>2. Advertiser :</b>	<b>PharmaCare</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>23-Oct-2019</b>
<b>6. DETERMINATION :</b>	<b>Dismissed</b>

### ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

### DESCRIPTION OF ADVERTISEMENT

She makes the statement "Being asked to be a bridesmaid, that was the moment I decided to lose weight. So I'm going on the FatBlaster clinical shake program, and I'd love you to join me".

### THE COMPLAINT

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

*The above statement sends an offensive message to women (and girls and adolescents) about body image and implies that if you are not married there is something wrong with you, as a female, and that it is because you are overweight. Not only is this incorrect, it's offensive. A female's value is not based on her weight or marital status. This sends a harmful message.*

### THE ADVERTISER'S RESPONSE

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



*PharmaCare Laboratories Pty Ltd (PharmaCare) refers to the complaint it received in relation to the FatBlaster advertisement as seen on free to air TV on Channel 7, 6.30am on the 24 September 2019 (FatBlaster Advert) and provide our response below.*

#### *Advertisement Description*

*The FatBlaster Advert centers on the real life moment that triggered the FatBlaster brand ambassador, Leisel Jones, to want to lose weight by being asked to be a bridesmaid. This is a real life scenario that motivated Liesel Jones to make healthier lifestyle choices in order to look and feel her best. Liesel Jones talks about how she part of FatBlaster Clinical Shake Program, which provides a combination of shakes and healthy meals. She encourages others to join her on her journey to try and lose weight.*

*PharmaCare's response to each of the abovementioned elements of the complaint is as follows:*

#### *a) 'Body image'*

*With two-thirds of Australian adults overweight or obese, PharmaCare understand that many Australians are struggling to lose weight and want to try and make healthier lifestyle choices . PharmaCare believes that FatBlaster has successfully helped thousands of Australians reach a healthier weight.*

*Fatblaster's brand Ambassador, Leisel Jones, is one of Australia's most celebrated Olympians and advocate for leading a healthy lifestyle. The FatBlaster Advert incorporates a true story of a key moment that has triggered her to want to get healthier so that she can feel and look her best in a moment that is important to her: being a bridesmaid at her friend's wedding.*

*The purpose of this FatBlaster Advert is to drive awareness to consumers of a free weight loss program which comprises weight loss shakes, healthy meal plans and recipes. This message is delivered in a pleasant and positive way and does not use offensive or negative language or demean anyone who may be unhappy with their body image.*

*In line with regulatory requirements, and to promote a balanced happy and healthy lifestyle, the advert stresses the importance (with supporting supers) of using the program in conjunction to a calorie-controlled diet and exercise program.*

#### *b) 'Married'*

*Leisel Jones is married and therefore she is not portraying the message to Australians that if you are not married "there is something wrong" or that it is because "she's overweight". PharmaCare agrees with the complainant that a female's value is not based on her marital status or weight. The purpose of the advert is to encourage and motivate people who want to lead healthier lives and lose weight. Leisel Jones has*



*shared a key moment/event that triggered her to want to do so, something genuine and that several Australians would relate to.*

c) *‘Girls and adolescents ‘*

*The complainant asserts that the FatBlaster Advert “sends an offensive message to women (and girls and adolescents)”. The media buy, avoids children’s programming as the target audience are women (aged 25+). As per the AANA Food and Beverages Advertising Code (Code), PharmaCare ensured the FatBlaster Advert is not placed in programs principally directed to children.*

*PharmaCare also maintains that the content of the FatBlaster Advert is not contrary to current Community Standards on health and safety (Section 2.6 of the Advertising or Marketing Communications). The main factors contributing to weight gain are a poor diet and inadequate physical activity and the Department of Health has implemented a number of measures to help communities take control of their health and make informed decisions about healthy diet and exercise choices. One example to try and help the community is FatBlaster Clinical Shakes which are formulated meal replacement shakes which comply with the compositional and nutritional requirements as set out by the Australia New Zealand Food Standards Code. PharmaCare provides an option of tools to make healthier choices and the FatBlaster Advert in question is encouraging people to go to the FatBlaster website ([www.fatblaster.com.au/clinical](http://www.fatblaster.com.au/clinical)) where they will find the free FatBlaster Clinical Program which contains weight loss advice, meal plans and nutritionally balanced recipes. Furthermore, throughout the FatBlaster Advert we stress the importance (with supporting supers) of using the program in conjunction to a calorie-controlled diet and exercise program.*

*In summary, PharmaCare takes the AANA Code of Ethics seriously and it is confident that the FatBlaster Advert does not contravene Section 2 of the AANA Code of Ethics, and in particular section 2.6 (Health and Safety).*

## **THE DETERMINATION**

The Ad Standards Community Panel (the 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 implies that if you’re not married there is something wrong with you as a female and that it is because you are overweight, and that this suggestion is offensive and harmful.

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 that the spokeswoman in the advertisement (Leisel Jones) states that when she was asked to be a bridesmaid she decided to lose weight. The Panel considered that there is no reference that a person’s worth is related to their marital status as there is no indication about whether or not Leisel is married or link to her marital status.

The Panel noted that there is significant community concern on the issue of body image, but noted that there is no mention of body shapes in the advertisement. The Panel considered that the advertisement relates to an individual woman wanting to lose weight for her friend’s wedding so that she thinks she looks nice in photographs, and asking viewers to join her in completing the program.

In the Panel’s opinion there is no suggestion that a person’s worth or value is related to their body size or shape.

In the Panel’s view most members of the community would be unlikely to view this advertisement for a weight loss program as advising that a woman is only of value if she is thin and married. The Panel considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety.

The Panel determined that the advertisement did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaint.