



Case Report

1	Case Number	0369/16
2	Advertiser	Department of Health
3	Product	Community Awareness
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	14/09/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Graphic Depictions

DESCRIPTION OF THE ADVERTISEMENT

The 'Cough' television commercial depicts a man with "smoker's cough". At the end of the commercial he coughs up a small amount of blood into his handkerchief and a male voice over says, "At any time, your smoker's cough can become smoker with lung cancer's cough. Every cigarette brings cancer closer".

THE COMPLAINT

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

I object to the graphic nature of this disgusting advert showing the "blood in handkerchief" I don't believe this graphic showing of spitting into hankie needs to be shown on TV and especially at our meal times. This ad has been shown most nights between the hours of 5pm and 7pm SA time and this is the times when most people are having meals or children are watching TV. We all know what can happen when smoking and really don't believe showing these ads make a great deal of difference to make people stop smoking. All we do is change channel and become more infuriated at the channels who put this ad on TV. If it MUST be shown don't show around meal times, but I will continue to refuse to watch it.

The constant coughing is very annoying. Actual showing blood is very offensive & disturbing.

THE ADVERTISER'S RESPONSE

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

The Australian Government believes that the Cough advertisement is consistent with the AANA Advertiser Code of Ethics, particularly in relation to Section 2. The campaign does not include discrimination or vilification, or any exploitative or degrading material. There is no violence, sex, sexuality, nudity or profanities referenced and the health and safety messages are medically accurate and designed to reduce smoking rates.

The Australian Government launched the Cough advertisement in January 2011 and has placed it in media as part of the National Tobacco Campaign on multiple occasions. The complaint received by the Advertising Standards Bureau in this instance is in relation to a media buy that was placed by the Government of South Australia.

In developing this campaign, due care was taken to present the facts in a responsible and appropriate manner, with regard for the target audiences. As well as smokers, the target audience includes the general community (including smokers' families) and smokers vulnerable to relapse. The development of the campaign was based on evidence and tobacco cessation communication best practice.

Considerable care was taken to ensure the depictions within the campaign are medically accurate and resonate with smokers. A program of market research informed the development and refinement of the campaign's creative concepts to ensure the effectiveness of the messages and their delivery.

Smoking cessation campaigns have played a significant role in helping reduce Australia's smoking rate to an all-time low of 14.5% for daily smokers aged 18 years and over. Australia now has some of the lowest smoking rates in the world and campaigns such as this have consistently been shown to impact smoking rates.

In 2013 in South Australia there was an increase in smoking rates from 16.7% to 19%, following a pause in anti-smoking media campaigns. The South Australian government has subsequently invested funds to ensure communication campaigns are part of a multi-faceted approach to reduce smoking.

The National Tobacco Campaign is relevant to the entire community. Tobacco smoking is the single largest preventable cause of death and disability in Australia. All non-smokers are potential smokers or potential victims of passive smoking. Most non-smokers are likely to be a grandparent, parent, child or sibling of a smoker or potential smoker. Tobacco smoking is one of the leading preventable causes of premature death and disease in Australia, accounting for approximately 15,000 deaths per annum.

The Television Industry Code of Practice recommended that the television commercial be rated as General/Warning, 'W', which allows for the commercial to be broadcast at any time except during young children's programming. It also states that care should be exercised in the placement of 'W' rated advertisements in cartoons and other programmes promoted to children. These slots have been avoided throughout the campaign.

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 complainants’ concerns that the advertisement depicts blood coughed up in to a handkerchief which is graphic, offensive and disturbing and is not appropriate for airing at mealtimes or when children are watching.

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 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 this television advertisement features a smoker who is shown coughing during various situations – socially and at work – before we see him cough up blood.

The Board noted it had previously dismissed the same advertisement five years ago in case 0073/11 where:

“The Board noted that some members of the community may find the image of the blood coughed up on to a tissue as disgusting, but considered that the value of the cancer warning message contained in the advertisement outweighed any distress it may cause to some viewers and the depiction was therefore justified in the context of that message. “

The Board acknowledged that some members of the community could find the depiction of blood to be graphic and offensive but considered that the advertisement presents a factual representation of the possible side-effects of smoking which, in the Board’s view, is informative and not unnecessarily graphic.

The Board noted that Prevailing Community Standards can change over a period of 5 years but considered that in this instance the content of the advertisement was relevant to the important health and safety message being advertised and in the Board’s view the advertisement did depict material which was justifiable in the context of the product or service advertised.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

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

