



Case Report

1	Case Number	0444/10
2	Advertiser	Pfizer Australia Pty Ltd
3	Product	Health Products
4	Type of Advertisement / media	TV
5	Date of Determination	10/11/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Sex/sexuality/nudity Treat with sensitivity to relevant audience

DESCRIPTION OF THE ADVERTISEMENT

A man is in the consulting room with his Doctor. The Doctor asks him if there is anything else he wishes to discuss and the man says no. We hear elephant noises in the background and when the Doctor asks the man if he is sure, we see the trunk of an elephant knocking against the man. The man says no again, and then we see the whole elephant standing behind him.

The man finally admits that he has a problem 'downstairs' and a male voice over says that Doctors are used to having these awkward conversations and that if you are having erection problems you should talk to your GP.

The final shot is of a Pfizer logo against a black screen.

THE COMPLAINT

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

Totally unsuitable for a Sunday afternoon, during a family time slot, and ruined a much awaited event.

I know that my young nephews are not the only kids who sit & join their dads on race day to be part of Bathurst. I'm not sure of the need to advertise this kind of thing on TV anyway but to advertise in times while children are watching is offensive and thoughtless. Some of us really don't want to have discussions with our little people about erection problems!!! When and how much we tell our children about sex should be left up to parents.....as parents and

caregivers we get to choose which programs we allow children to watch but we have no control over what is advertised! I know I'm not the only one who has been disgusted at the thoughtless timing of these ads today. Shame on whoever programmed these in during day time.

The X Factor is a family orientated show and is broadcast during family viewing time. The producers of the show and Channel 7 program managers are no doubt well aware of the demographic watching the X Factor. It is well populated with 10 to 12 year olds. The same 10 to 12 year olds that pick up their mobile or their parents phone and vote for the artists on the show. I and many others I have talked to believe it is totally inappropriate for you to screen adult orientated advertisements during family orientated shows. The media have a lot to answer for when it comes to exposing our kids to too much too soon. Who wants to have to explain to a 10 year old what "Erection Problems" mean? Many of the problems with our youth today can be attributed the fact that these days kids are not allowed to be kids for long enough.

Does Channel 7 really need the revenue so badly that it is willing to forget any decent moral standing? I can assure you that the male audience that have erectile dysfunction will still be watching TV after 10pm after all they won't be in bed satisfying their partner will they? Wake up to yourselves Channel 7 and do the right thing.

THE ADVERTISER'S RESPONSE

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

Pfizer Australia takes this matter very seriously and welcomes the opportunity to comment on the complaint.

The primary objective of the 'elephant in the room' campaign is to raise awareness about erectile dysfunction amongst older males and to encourage those who experience it to visit their GP to discuss the matter further. Given this subject matter, we are cognisant that this must be done in a careful and sensitive manner. Taking this into consideration, and given the difficulty in reaching an older male audience, the strategy is to run advertisements around programs with a high ratio of older male viewers; mitigating the likelihood of the advertisement's exposure to a wider audience.

Pfizer believes that the advertisement is compliant with Section 2.3 of the Australian Association of National Advertisers Code of Ethics by treating the subject matter with sensitivity to the audience. By highlighting the 'elephant in the room' instead of focusing on sex, and by avoiding any explicit illustrations of sexual activity, the advertisement puts the onus on seeking treatment by having an awkward conversation, thereby treating the topic in a less confronting manner. The choice of the word 'erection', rather than a more colloquial expression, was to keep the focus on the issue itself, rather than trying to dilute the message through humour. Further, given feedback from previous campaigns, we have removed the printing of the word "erection" on screen, to further reduce potential offence it may cause. With the above in mind, the advertisement received a PG rating by the Commercial Television Industry Code of Practice. In light of this, and in addition to the choice of script and visuals, the advertisement treats the topic of sexuality with sensitivity to the adult audience through its placement in the following PG rated timeslots; Monday to Friday

8.30am – 4 pm and 7pm – 6am, and weekends from 10am to 6am. Pfizer submits that it has complied with the Industry Code in every respect.

Thank you for the opportunity to respond to this complaint. As previously stated, Pfizer Australia takes this complaint very seriously and as such I would be pleased to discuss this further should The Advertising Standards Board require clarification on any matters in assessing the merits of this complaint.

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 was shown at inappropriate times and that it should not be advertised on television at any time.

The Board reviewed 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 treat sex, sexuality and nudity with sensitivity to the relevant audience and, where appropriate, the relevant programme time zone”.

The Board noted that some of the complaints were about the product advertised and the fact that it can be advertised on television. The Board noted that this is a product that is legally able to be advertised provided that it meets the requirements of the Code.

The Board noted the advertisement depicts a man having a consultation with his GP and showing reluctance to discuss his ‘problem downstairs’. This reluctance is visually alluded to by the inclusion of an elephant in the room.

The Board noted the advertiser’s response that there is no sexual activity depicted in the advertisement, and that the word erection is spoken only once by the voiceover and does not appear written on screen.

The Board noted that this advertisement has been rated PG, and that it did not depict any sexual references or nudity. The Board considered that most members of the community would not find the content of the advertisement inappropriate or offensive.

Based on the above, the Board determined that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and that it 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.

