



Case Report

1	Case Number	0471/12
2	Advertiser	Menopause Centre of Australia
3	Product	Health Products
4	Type of Advertisement / media	TV
5	Date of Determination	12/12/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

The advertisement shows a woman joining her friends for a meal and when asked how she is she lists some common symptoms of menopause, including night sweats and a decreased sex drive. A female voiceover then talks about how the Menopause Centre of Australia specialises in effective, more natural menopause treatment programs.

THE COMPLAINT

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

The dialogue first words refer to decrease sex drive. This ad was during the first half of children's movie (Madagascar) at around 8:30pm on a Friday evening. My 11 year old daughter started asking questions sex drive. This isn't an appropriate ad during this particular movie or timeslot.

THE ADVERTISER'S RESPONSE

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

The advertisement does refer to the symptom of a decreased sex drive, while the advertisement aims at bringing some light hearted humour to menopause and the symptoms

that are experienced by women during that time, it is never the less a serious medical issue. Decrease in sex drive is one of such symptoms and in this context is not meant in any sexually suggestive way.

We understand that the advertisement was shown at 8:30pm. The Menopause Centre as the advertiser did not choose this time specifically. The advertising was purchased as part of a package and the time it is to be shown is not within our direct control. Having said that, We believe that 8:30pm on a Friday evening is not considered a time specific to children's programming. It is a time slot more associated with prime time shows and movies without being race, gender or age specific.

The movie Madagascar has itself a rating of PG and the advertisement has a lower rating of G. We will endeavour to ask our advertising buyer and the television stations to avoid playing the advertisement during what may be deemed as children's programs in future.

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 concerns that the advertisement features a reference to sex which is not appropriate for children to hear.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat sex, sexuality and nudity with sensitivity to the relevant audience."

The Board noted the advertisement is for a Menopause Clinic and features a woman discussing her symptoms with a group of friends and that she notes she has a decreased sex drive.

The Board noted the complainant's concerns about the placement of the advertisement during a PG rated movie. The Board noted that the advertisement had been rated PG by CAD and considered that the placement of the advertisement was in keeping with the rating.

The Board noted the reference to decreased sex drive and considered that the reference is clearly made in the context of women discussing menopause symptoms and is not a sexualised discussion. The Board considered that this is a relatively mild reference to sex. In the Board's view most members of the community would consider that the content of the advertisement is not inappropriate for viewing by a broad audience and also noted that the advertisement is unlikely to be appealing to children.

The Board considered that the advertisement did treat sex, sexuality and nudity with sensitivity to the relevant audience and determined that the advertisement did not breach Section 2.4 of the Code.

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

