



CASE REPORT

1. Complaint reference number	104/07
2. Advertiser	Alex Perry (Cosmo Bride)
3. Product	Clothing
4. Type of advertisement	Print
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 10 April 2007
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement features a black and white photo of a young blonde woman wearing a long white dress and standing against a wall. She has a cigarette in her mouth.

THE COMPLAINT

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

Isn't promoting cigarette smoking through advertising meant to be illegal in this country? This advert promotes smoking to young women through a clothing line which is heavily promoted as being the epitome of glamour and sophistication. Disgusting!

It encourages and glorifies cigarette smoking which is completely contrary to the massive push Australia wide to discourage smoking - particularly in young people.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

The advertisement sought to re-create an image which was reminiscent of the 1940's film noir period. The advertisement was conducted in a tasteful and artistic manner that intended to capture a mood of mystery with the specific lighting scheme used. The advertisement was featured in a Bridal magazine which is aimed at a specific demographic, being women 18-35 years old who are about to embark on a journey in the preparation of their wedding day. The advertisement was not aimed towards young children or adolescents. The advertisement in no way sought to promote, condone, encourage or glorify cigarette smoking. The advertisement was not intended to be provocative or controversial in any way.

Whilst there are no current plans to re-run the advertisement, we are willing to digitally modify the image and remove the cigarette from the image, should we decide to run the advertisement again in the future.

The advertisement is featured in the current and National issue of Cosmopolitan Brides which is scheduled to go off the news stands end May.

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board viewed the advertisement and considered whether the advertisement breached Section 2.6 dealing with prevailing community standards on health and safety. The Board noted the comments of the complainants that the advertisement depicted and glamourised smoking.

The Board noted that government policy is to reduce the exposure of the public to messages and images that may persuade them to start or continue smoking or use tobacco products. The Board considered that while the community tolerates a level of smoking it does not tolerate images which promote smoking as glamorous or cool.

The Board considered carefully the images of the smoking in the advertisement. The Board agreed that the stylised and glamorous visual imagery of the smoking woman strongly linked glamour, excitement and positive messages to smoking.

Accordingly the Board agreed that the advertisement depicted material contrary to community standards on health and safety and hence breached Section 2.6 of the Code.

Finding that the advertisement breached the Code, the Board upheld the complaint.