



CASE REPORT

1. Complaint reference number	133/98
2. Advertiser	Bioplus Healthcare Pty Ltd (Sedacalm/Sedasleep)
3. Product	Health Products
4. Type of advertisement	Print
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Language – use of language – section 2.5
6. Date of determination	Tuesday, 8 September 1998
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENTS

The Board viewed three print advertisements.

1. The words ‘bloody hell !’ (in red and black print) run down one side of the advertisement. Alongside them, but in smaller print, are the words, ‘He never sends me flowers. But he wants me on the pills’. Underneath the latter, in even smaller print, it says, ‘The natural response to stress and insomnia’ above a photograph of two containers/bottles of ‘Sedacalm’ and ‘Sedasleep’ respectively.

2. The words, ‘Up Yours !’ (in red and black print) run down one side of the advertisement. Alongside them, but in smaller print, are the words, ‘You talkin’ to me? Wanna come to the bottom of the page and say that?’. Underneath the latter, in even smaller print, it says, ‘The natural response to stress and insomnia’ above a photograph of two containers/bottles of ‘Sedacalm’ and ‘Sedasleep’ respectively.

The Board viewed two variations of number 3.

3.1 The words, ‘God damn it’ (in red and black print) appear at the top of this advertisement and take up a large proportion thereof. Underneath these words is a photograph of the products, ‘Sedacalm’ and ‘Sedasleep’ respectively. Alongside the photograph, are the words, ‘Enough is enough. All this pressure has finally driven me to the bottles.’

3.2 The words, ‘God damn it’ (in red and black) run down one side of this advertisement. Alongside these words, but in smaller print, are the words, ‘Enough is enough. All this pressure has finally driven me to the bottles.’ Underneath the latter, in even smaller print it says, ‘The natural response to stress and insomnia’ above a photograph of the products ‘Sedacalm’ and ‘Sedasleep’ respectively.

THE COMPLAINT

Comments the complainants made about the advertisements included:

‘UP YOURS ! and BLOODY HELL! are just plain rude and certainly not heard in polite conversation. GOD DAMN IT is offensive blasphemous and discriminates against Christians world wide...’

‘It is disturbing to see that an advertiser needs to resort to such a level to sell his product and I find it disgusting and inappropriate to see in a so-called family magazine.’

THE DETERMINATION

The Advertising Standards Board (‘the Board’) considered whether these advertisements breach Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board was of the opinion that the advertisements would not offend prevailing community standards and did not constitute discrimination or vilification. The Board was of the view that the advertisements did not breach the Code and dismissed the complaint.