



## **CASE REPORT**

1. Complaint reference number	146/03
2. Advertiser	GlaxoSmithKline Australia - Pharmaceuticals (Valtrex)
3. Product	Health Products
4. Type of advertisement	TV
5. Nature of complaint	Discrimination or vilification Gender - section 2.1
6. Date of determination	Wednesday, 13 August 2003
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement opens on a woman taking a tablet and proceeding to prepare for a date as a voiceover states: “She doesn’t have a headache, or stomach cramps. She’s not anaemic and she’s not on the pill. Like one in eight Australian men and women she has genital herpes, yet the treatment can still be as simple as just one or two tablets a day, to control the symptoms, prevent further outbreaks and help relieve the stress on relationships.” As the couple leave a building, the woman indicates she has forgotten something and returns to collect a package alongside which is seen material relating to the advertised product while the voiceover continues: “If you think that you or your partner may have genital herpes you can take action. See your doctor, get this facts pack and start taking control.” The advertisement ends with a representation of the facts pack alongside text reading: ‘Take Action & Take Control. See A Doctor.’

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*“By associating one gender (female) in regards to genital herpes in the ad, indirectly the advertisement is associating females to genital herpes, and by not including men gives people the impression that males aren’t associated with herpes. This is wrong....”*

## **THE DETERMINATION**

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

Noting advice from the advertiser that the company had consulted with a number of specialist doctors “to ensure that the messages in the advertisement are clear and balanced”, the Board determined that the featuring of a woman in this communication did not constitute discrimination and/or vilification as represented in the Code.

Finding that the advertisement did not otherwise contravene the Code, the Board dismissed the complaint.