



## **CASE REPORT**

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|-------------------------------|---------------------------------|
| 1. Complaint reference number | 177/02                          |
| 2. Advertiser                 | Quit WA                         |
| 3. Product                    | Community Awareness             |
| 4. Type of advertisement      | TV                              |
| 5. Nature of complaint        | Health and safety – section 2.6 |
| 6. Date of determination      | Monday, 12 August 2002          |
| 7. DETERMINATION              | Dismissed                       |

## **DESCRIPTION OF THE ADVERTISEMENT**

The advertisement depicts a sequence of scenes, including an anxious couple awaiting results in a doctor's surgery; a hospitalized woman with apparent breathing difficulties; a woman lighting a cigarette and coughing uncontrollably while holding a packet of cigarettes branded 'Marshall Menthol'; a man wheeling a drip in a hospital corridor; a woman in a wheelchair; and a man coughing while undergoing physiotherapy. Accompanying the vision, a voice sings: "It's the life for you, it's the life for me, it's the way a smoke is supposed to be. So come on, give it a try, it's the Marshall taste you can't deny. It's that Marshall Menthol feeling, it's the Marshall Menthol dream, smooth and mild for the strong and wild. Join the Marshall Menthol team." The advertisement concludes with a full-frame QUIT graphic.

## **THE COMPLAINT**

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

*"...I really thought that you were promoting the cigarettes not a QUIT ad (sic)...Many children do not understand the pictures shown behind the music..."*

*"...I am an ex-smoker and when I hear this ad...it makes me want to smoke again and it does not matter if the brand does exist or not, the tune and words get you in."*

## **THE DETERMINATION**

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

Noting that the advertisement employed a fictitious brand of cigarette, the Board determined that it did not breach the provisions of the Code relating to health and safety or on any other grounds.

Accordingly the Board dismissed the complaint.