



CASE REPORT

- | | |
|-------------------------------|---------------------------------------------------------------|
| 1. Complaint reference number | 245/07 |
| 2. Advertiser | Johnson & Johnson Pacific Pty Ltd (Nicorette Cut Down & Stop) |
| 3. Product | Health products |
| 4. Type of advertisement | TV |
| 5. Nature of complaint | Health and safety – section 2.6 |
| 6. Date of determination | Tuesday, 14 August 2007 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement depicts a man hiding behind a tree from his friends at a picnic, to smoke a cigarette., when suddenly another man in a golf buggy drives up to him saying "So, told everyone you'd given up for good eh? Giving up in one go is really hard, so why not try cutting out just some of your daily cigarettes? With Nicorette Gum". He explains further "We call this the Cut Down and Stop approach" as a cheer squad cheers him on, advising he can cut his cigarette intake in half. The man in the gold buggy whispers "Let's get you back before anyone notices" and drives him back towards his friends with the cheer sqwad following, chanting "Nicorette. Nicorette, You can beat the cigarette".

THE COMPLAINT

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

The advertisement actually tells people to continue smoking and use gum to cut down a little. I believe it is against the tobacco laws in Queensland (and the rest of Australia) to promote smoking in any form.

THE ADVERTISER'S RESPONSE

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

Nicorette Gum is a quit smoking aid registered with the Australian Therapeutic Goods Administration for "the treatment of tobacco dependence by relieving nicotine craving and withdrawal symptoms, thereby facilitating smoking cessation in smokers motivated to quit" and, "in smokers currently unable or not ready to stop smoking abruptly, Nicorette Chewing Gum may also be used as part of a smoking reduction strategy as a step towards stopping completely". For many smokers the withdrawal symptoms associated with abrupt smoking cessation are considered too daunting and serve as a deterrent to attempting to quit. Cut Down Then Stop is a clinically proven strategy that aids smokers who are unable to stop smoking abruptly to cut down gradually within six weeks and to quit smoking entirely within nine months.

The difference in the actual advertisement and the description provided in the complaint suggests that the advertisements were not viewed in their entirety. Johnson & Johnson Pacific supports the complainant's view that smoking should not be promoted.

We remain satisfied that the claims made in the commercials are accurate, balanced, not misleading and do not contradict current community standards on health and safety. These commercials were first broadcast in March 2007. This is the only complaint of which we are aware and believe that it is unfounded.

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 concern that the advertisement breached the Code by suggesting that some smoking was acceptable (suggesting that smokers 'cut down' rather than quit). The Board viewed the advertisement and considered that it clearly indicated that the message of the product and the advertisement is to assist smokers to first cut down, as a means of achieving the ultimate goal of stopping smoking completely.

The Board determined that the advertisement was consistent with prevailing community standards in that it depicted the preferred approach of not smoking, while suggesting that the particular product is a useful means of achieving that ultimate goal by first cutting down.

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