



CASE REPORT

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| 1. Complaint reference number | 291/09 |
| 2. Advertiser | Planet Health (Life Stream) |
| 3. Product | Health Products |
| 4. Type of advertisement | Print |
| 5. Nature of complaint | Portrayal of sex/sexuality/nudity – section 2.3 |
| 6. Date of determination | Wednesday, 8 July 2009 |
| 7. DETERMINATION | Dismissed |

DESCRIPTION OF THE ADVERTISEMENT

This print advertisement for Life Stream Bowel Biotics+ features a large image of a smiling Buddha, an image of a packet of the product, and considerable text explaining the product. Major text reads: “A daily offering to awaken your inner health. Even the most enlightened beings can use a daily superfood to help attain Inner Digestive Harmony”.

THE COMPLAINT

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

Using the image of the Buddha - a sacred image - to promote any product, let alone a bowel cleansing product is offensive, not only to Buddhists, but to anyone who respects religion. Clearly the advertisers realize this is an image of the Buddha as the copy below states; "Even the most enlightened beings can use a daily superfood to help attain inner digestive harmony". Can anybody imagine a picture of Jesus Christ on the cross being used to promote a laxative? What would be the outcome should someone depict the prophet Mohammed in a Bowel Biotics advertisement? How on earth did this ad get published?

THE ADVERTISER'S RESPONSE

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

We are sorry that Mrs Halley found our advertisement for Lifestream BowelBiotics+ offensive. By no means was it Planet Health's intention to offend any member of the public. The use of the Buddha image is done tastefully and with every good intention. Planet Health believes the image of the Buddha provokes a feeling of peace and harmony. In a simple manner, the advertisement is suggesting that Lifestream BowelBiotics+ can provide this inner peace and harmony for those struggling to achieve digestive health. We would also like to point out that Lifestream BowelBiotics+ is not a laxative, as suggested by Mrs Halley, it is a 100% natural product that aids in maintaining bowel health – essential for overall health and wellbeing.

Planet Health has been marketing and distributing Lifestream BowelBiotics+ since July 2007. During this time, this exact advertisement has been used extensively in publications nationally. To date we have invested over \$336,500 in advertising, and estimate that the advertisement has been circulated to over 14 million people. These figures have been calculated with the help of Planet Health's media consultant Frontier Media. Over the last 2 years, Planet Health has received only one other complaint. Although it is unfortunate that anyone has been offended by the use of the imagery, Planet Health feels that this illustrates that the great majority of the public are not offended by this advertisement. Included in the advertisement is an

email address and freecall phone number for customers to contact us for further information. The thousands of calls we have received have all been of a positive nature, from customers looking for a solution to their digestive concerns.

Thank you for your consideration of our position.

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 use of an image of Buddha in conjunction with a bowel treatment.

The Board viewed the advertisement and noted that the use of a religious symbol outside a religious context does not of itself mean that an advertisement discriminates against or vilifies a sector of society on account of their religion. The Board noted that this advertisement may be for a bowel treatment but a focus of the advertisement is to inner health. The Board considered that the advertisement uses an association between the product and a holistic approach to health and well being that plays on an association with Buddha but that this association is not disparaging or disrespectful. The Board considered that the advertisement does not vilify or discriminate against people because of their religion and that the advertisement does not breach section 2.1 of the Code.

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