



## CASE REPORT

1. Complaint reference number	361/05
2. Advertiser	Schering Pty Ltd (Postinor 2 -
3. Product	Health Products
4. Type of advertisement	Radio
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 13 December 2005
7. DETERMINATION	Dismissed

## DESCRIPTION OF THE ADVERTISEMENT

The complaint relates to two radio advertisements for Postinor 2 (the “morning after” pill). The first radio advertisement starts with a backing of social noise and features the voice of a young woman explaining that: “*Accidents can happen. Y’know, condoms fail... and it isn’t hard to forget to take the pill... at that stage of my life, getting pregnant just wasn’t an option*”. She explains that a friend told her about emergency contraception which is available from chemists without prescription and can be taken up to 3 days after unprotected sex.

In the second advertisement, the voiceover advises: “*Accidents can happen at any time. You can accidentally forget to take your contraceptive pill. Condoms can accidentally fail. Sometimes accidents just happen. Emergency contraception can be taken up to 72 hours after unprotected sex. It’s available over the counter from your pharmacist and you don’t need a doctor’s prescription.*”

The voiceover on both advertisements states: “*When pregnancy isn’t an option, it’s nice to have options. For more information visit [www.emergencycontraception.com.au](http://www.emergencycontraception.com.au)*”.

## THE COMPLAINT

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

*“This website... states there is no limit on how many times you can take the MAP (!) It also refers to studies that show the pill is safe but unless I’ve missed it, it does not reference those studies.”*

*“I think that it exploits young girls and induces them to take something which does a chemical abortion which is wrong in principle and which can have serious side-effects.”*

## THE ADVERTISER’S RESPONSE

*“Our response to a similar complaint on the same subject (your reference 160/05 date of determination 14 June 2005) should be seen as supportive comment to the overall subject of emergency contraception advertising.”*

*“... the advertisement itself does not mention a product brand name but rather deals with the concept of emergency contraception per se and thus could be viewed as a public health notice. Importantly, government authorities are satisfied with the safety of emergency contraception such that they view it as suitable without the need for a doctor’s prescription.”*

## THE DETERMINATION

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

The Board reviewed only the material that formed part of the radio advertisement and did not review the material on the website.

The Board was of the view that the advertisements did not exploit young girls, nor did it induce them to act irresponsibly in relation to the use of contraception. The Board considered that this advertisement had educational benefits and did not contravene the provisions of the Code relating to health and safety.

Further finding the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.