



CASE REPORT

1. Complaint reference number	362/06
2. Advertiser	Reckitt Benckiser (Aust) Pty Ltd (Nurofen)
3. Product	Health products
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 12 September 2006
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features actress Georgie Parker interviewing Symantha Perkins about Nurofen. Georgie asks Symantha “You take Nurofen for mild pain, why?” Symantha relates “Even mild pain disrupts my everyday life. It gets in the way of the things I have to do, so if I feel pain start I just head straight for Nurofen”. Symantha is then shown about her activities, walking to her car, picking up toys, working on a computer as she rubs her forehead. Georgie asks “But isn’t Nurofen only for strong pain?” to which Symantha replies “No way, that’s Nurofen Plus. This is just Nurofen which is effective for headaches and other pains that affect everyday life. It’s not actually the strength of it, but the way Nurofen works to relieve aches and pains that makes it effective.” Symantha is then seen taking two Nurofen tablets with water. Georgie continues “So, is Nurofen your little secret for mild pain?” and Symantha replies “Not any more! My friends use it too. We’re all busy and we can’t let pain slow us down”. During parts of the advertisement text on screen states “Always read the label. Use only as directed. Incorrect use could be harmful. If symptoms persist see your healthcare professional”.

THE COMPLAINT

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

I am concerned about the health implications of this ad. Symantha Perkins advises that she and her friends take Nurofen because “we are all busy and we can’t let pain slow us down”. This is offensive in that (it) encourages people to take pills rather than respond to their body symptoms of pain in a more beneficial way. As a role model, she is advising us to ignore pain and just take a pill.

It is very disappointing to see her advising this and develops a dangerous health advice that we should keep up the pace irrespective of our body’s warning system i.e. pain. Most other pain medications at least add the proviso to seek medical assistance if pain continues.

THE ADVERTISER’S RESPONSE

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

Symantha is relating her own experience with pain. There is also no reference made to how often Symantha uses Nurofen. It is clearly marked on pack that Nurofen should not be used “for more than 3 days at a time, except with doctor’s advice”.

We are an analgesic product and need to advertise our ability to provide pain relief.

The mandatories specified in the (Therapeutic Goods Advertising) Code are clearly displayed for the required (“Always read the label. Incorrect use could be harmful. Use only as directed.

Consult your healthcare professional if symptoms persist”.

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board considered whether this promotion of a pain reliever by two well-known public figures contravened prevailing community standards on health and safety.

The Board noted that it had previously considered complaints about the use of a different pain-reliever. In both previous advertisements the characters were suffering from pain – headaches and back pain, and were clearly seen to be in pain. On those occasions the Board considered that

‘the use of [the product] by the main character [in the advertisement] was to address head ache symptoms...and did not contravene the provisions of the Code relating to health and safety.’

‘the advertisement [did not] encourage any behaviour other than the responsible and recommended use of the product...and [did not] depict material that is contrary to prevailing community standards on health or safety.’

The Board noted that this advertisement had received clearance from the Australian Self-Medication Industry (ASMI) which is responsible for providing clearance of product advertising against the requirements of the Therapeutic Goods Advertising Code. The Board also noted that the Therapeutic Goods Advertising Code provides that ‘an advertisement for therapeutic goods must not...encourage or be likely to encourage, inappropriate or excessive use.’

The Board discussed the fact that it is not a Board of medial practitioners or health professionals and noted with respect the ASMI decision. However the Board noted that its role is to apply the view of average members of the community in determining whether prevailing community standards have been breached and that this is not a medial opinion.

The Board noted the use of Georgie Parker, a well known actor who has performed the role of a health professional in a number of Australian programs and is currently narrating a medical program. In addition the advertisement refers to Symantha and her friends using the product so as not to let pain slow down their life.

In the Board’s view this advertisement presents the use of the product as part of everyday life that should be taken as soon as you feel pain start – even mild pain. The Board considered that these elements of the advertisement implied that Nurofen is an acceptable part of a woman’s and her friends’ day and can be used for as long as required for mild pain. The Board considered that this implication undermined the important messages that Nurofen’s use should be ‘only as directed. Incorrect use could be harmful. If symptoms persist see your healthcare professional”

On this basis the Board found that the advertisement did depict material that breached prevailing community standards on safe use of the product and therefore breached clause 2.6 of the Code. The Board therefore upheld the complaint.

ADVERTISER’S RESPONSE TO DETERMINATION

*We have received the complaint and understand the board considers that our advertisement "presents the use of the product as part of everyday life that should be taken as soon as you feel pain start." We do not feel that the average consumer would take out that Nurofen should be used every day. Taking Nurofen as soon as pain starts is an effective way to manage pain as recognised by doctors and pharmacists. It should be noted that we are not alone in advocating early treatment. A competitor uses the line "...I don't have time for headaches" in a current TVC. **I can however confirm that we do not have any plans to air this TVC in the future.***