

Case Report

1. Case Number :	0014-24
2. Advertiser :	Caruso's Natural Health
3. Product :	Health Products
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Decision:	21-Feb-2024
6. Decision:	Dismissed

ISSUES RAISED

AANA Code of Ethics\2.6 Health and Safety

DESCRIPTION OF ADVERTISEMENT

This television advertisement begins with a woman pulling at the waist of her jeans in front of a mirror. The voice-over says, "Is your bloated belly making you feel fat and miserable?"

The ad then gives information about the product, before showing the woman posing in front of the mirror in a dress. The voice-over says, "so if you're fed up with your bloated belly making you feel fat and miserable try Caruso's Bloat Ease today".



THE COMPLAINT

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

*I just watching TV and the ad for Carusos Bloat Aid came on.
I would like to complain about the repetitive language "fat and miserable".
I am currently helping a relative through an eating disorder. This language used in the ad is damaging and not in line with current practice re body image, eating disorders and health.*

The use of the word Fat more than once. Now my 5 year old child is walking around crying saying she needs to take these tablets because her stomach is big.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

Caruso's TV advertising scripts are approved by Ad Check. Ad Check are a credible Advertising check advisory service highly recommended by the TGA. All relevant marketing material undergoes a compliance review with Ad check and we use their certificate of conformance as a guide with all our marketing material.

In regards complaints referring to "fat and miserable" and the use of the word "fat", the use of this sentence and wording has been approved by Ad Check. We are aware, that the words may be open to different interpretations, however, as I have mentioned above, Ad check have approved the use of this sentence.

THE DECISION

The Ad Standards Community Panel (Panel) considered whether the advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainants' concerns that the advertisement uses the word fat which can be triggering to people with body image disorders.

The Panel viewed the advertisement and noted the advertiser's response.

Section 2.6: Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

The Panel noted the Practice Note to Section 2.6 which states:

"BODY IMAGE: Advertising must not portray an unrealistic ideal body image by portraying body shapes or features that are unrealistic or unattainable through healthy practices. Unrealistic ideal body image: Advertising that provides an unrealistic ideal body image by portraying body shapes or features that are unrealistic or unattainable through healthy practices, which is not justifiable in

the context of the product or service being advertised, will be contrary to prevailing community standards relating to health and safety.

An unrealistic ideal body image may also occur where models are depicted in a way that:

- promotes unhealthy practices*
- presents an unrealistic body image as aspirational; or*
- is reasonably likely to cause pressure to conform to a body shape that is unrealistic or unattainable through healthy practices (such as diet or physical activities), unless such depictions are justifiable in the context of the product or service advertised.”*

The Panel noted that the advertised product was aimed at assisting with bloating and was not a weight-loss product. The Panel considered that the advertisement does not state that the woman is fat, or that she is miserable because of her weight.

The Panel considered that the phrase “fat and miserable” was used to describe the feeling of being bloated. The Panel considered that most members of the community would recognise this description of being bloated and would not consider this as a statement that people who are overweight are miserable.

Overall, the Panel considered that the advertisement was not depicting or referencing unrealistic ideal body images, or otherwise making a statement which would be considered to be unhealthy or unsafe.

Section 2.6 conclusion

The Panel considered that the advertisement did not contain material contrary to Prevailing Community Standards on health and safety and determined that it did not breach Section 2.6 of the Code.

Decision

Finding that the advertisement did not breach the Code on other grounds, the Panel dismissed the complaints.