

COMPLAINT NUMBER	17/447
COMPLAINANT	R. Moore and A. Mirbach
ADVERTISER	GlaxoSmithKline NZ Ltd
ADVERTISEMENT	GSK Whooping Cough Booster Vaccination, Radio
DATE OF MEETING	11 December 2017
OUTCOME	No Grounds to Proceed

Advertisement: The radio advertisement for GlaxoSmithKline included a soundtrack of a baby coughing and struggling to breath. A female narrator talks about the importance of protecting un-vaccinated babies against whooping cough. The advertisement promotes the availability of a whooping cough booster vaccination to those close to young babies and refers listeners to www.whoopingcough.co.nz for more information.

The Chair ruled there were no grounds for the complaints to proceed.

Complainant, R. Moore said the advertisement with the baby struggling to breath was very upsetting and a traumatic reminder of breathing difficulties suffered by some infants. R. Moore said the sounds of the baby trying to breath were so upsetting they considered people were unlikely to listen to the key message of the advertisement, promoting a whooping cough booster vaccination.

Complainant, A. Mirbach questioned the effectiveness of the advertisement and said the sounds of the baby's breathing were "gut-wrenching" to listen to.

The relevant provisions were Principle 1 of the Therapeutic and Health Advertising Code and Rule 5 of the Code of Ethics.

The Chair noted the Complainants' sincere concerns about the use of the distressing sound of the baby trying to breathe to draw attention to the risks of whooping cough and a booster vaccine. The Chair agreed the baby's breathing was confronting and difficult for people to listen to.

In considering whether the advertisement was in breach of the Codes of Practice, the Chair took into account it was raising awareness about a booster vaccination to help minimise the risk of infection for vulnerable babies. While acknowledging the Complainants' views, the Chair said the advertisement had not met the threshold to be likely to cause serious or widespread offence under Rule 5 of the Code of Ethics. The Chair said the advertisement had been prepared with a high standard of social responsibility to consumers and society and was not in breach of Principle 1 of the Therapeutic and Health Advertising Code.

Accordingly, the Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed**