

COMPLAINT NUMBER	18/341
COMPLAINANT	D Alexander & Others
ADVERTISER	Breast Cancer Foundation NZ
ADVERTISEMENT	Breast Cancer Foundation NZ, Television
DATE OF MEETING	18 October 2018
OUTCOME	Settled – advertisement changed

Advertisement: The Breast Cancer Foundation television advertisement has a mother and daughter talking about the experience of discovering breast cancer. The voiceover and graphics at the end say “Breast cancer is contagious. It touches the whole family...”

The Chair ruled the complaint was Settled.

Complainant, D Alexander, said: Statement "Breast Cancer is Contagious" Totally Untrue - Scare mongering . "It touches the whole family" How would it make children / people feel about people with breast cancer. They would be afraid of catching breast cancer and ostracize the person with the cancer. Absolutely despicable statement.

The Advertiser, Breast Cancer Foundation NZ, said:
The aim of the advertisement was to encourage eligible women to take up the free mammograms to which they're entitled, by talking about the wider effects of breast cancer on families; those effects can be lessened when cancer is found early on a mammogram. To express this, we used the expression “Breast cancer is contagious”. We vetted the wording with the Commercial Approvals Bureau, and their view was that “Contagious clearly means an emotion or feeling likely to spread and affect others rather than a transmittable disease”.

However, we did receive several complaints directly from members of the public on October 2 and 3, and as a result, we decided to re-record the TV and radio advertisements immediately, removing the word “contagious”. This was done on October 4, and the revised advertisement went to air that night. We expressed our sincere apologies to the people who contacted us, and to the wider public via social media and regular media.

The relevant provisions were Code of Ethics - Basic Principle 4, Rule 11, Rule 2, Rule 5, Rule 6;

The Chair noted there had been 13 complaints received about the television advertisement. The Complainants' concerns were about the use of the word 'contagious' which was misleading and played on fear.

The Chair acknowledged that upon receiving initial complaints directly, the Advertiser had promptly made changes to the advertisement, removing the word 'contagious' which had been the point of concern for the Complainants.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in amending the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board. The Chair ruled that the matter was settled.

Chair's Ruling: Complaint **Settled – advertisement changed**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 days of receipt of this decision.