

COMPLAINT NUMBER	21/337
ADVERTISER	Johnson & Johnson (NZL) Limited
ADVERTISEMENT	Codral Cold and Flu, Television
DATE OF MEETING	28 June 2021
OUTCOME	No Grounds to Proceed

Advertisement: The television advertisement for Johnson & Johnson's Codral Cold & Flu tablets shows a woman (Veronica) waiting at a train station. She coughs/sneezes and looks around - when she looks down her dinosaur key ring is speaking to her on the seat. The dinosaur says "Cold coming on?" and Veronica replies "No, no." The dinosaur says "Own your cold! Take a codral, work from home, so later you can be the best dino mum a boy can ask for" - Veronica interrupts "Oh anybody can do that". The dinosaur says "Nobody else can be a Veronica-saurus, not Dad, not Aunt Linda, you are the fiercest protector of your young" and Veronica roars like a dinosaur and walks off out of the station. The advertisement ends with the dinosaur saying, "Solider on sooner with Codral" and the text "Own your cold."

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

Complaint: Breaks generally prevailing community standards. Encouraging people to be using public transport and working when clearly unwell during what is a world wide pandemic.

Complaint 2: I wish to complain about the Codral as on TV3 on Monday 28th June. In these ads we are encouraged to take this product and 'carry on' Taking this product may relieve your symptoms but it is not a cure. Surely this is unwise advice at this time with Covid 19 still rampant in the world. This advertisement really upsets me as if you are unwell with any contagious illness you should be keeping clear of others. I look forward to your response.

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(e); Therapeutic and Health Advertising Code - Principle 1, Principle 2;

ADVERTISING STANDARDS CODE

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(e) Safety: Advertisements must not, unless justifiable on educational or social grounds, encourage or condone dangerous, illegal or unsafe practices, or portray situations which encourage or condone a disregard for safety.

THERAPEUTIC AND HEALTH ADVERTISING CODE

Principle 1: Social Responsibility: Therapeutic and Health advertisements shall observe a high standard of social responsibility particularly as consumers often rely on such products, devices and services for their health and wellbeing.

Principle 2: Truthful Presentation: Advertisements shall be truthful, balanced and not misleading. Advertisements shall not mislead or be likely to mislead, deceive or confuse consumers, abuse their trust, exploit their lack of knowledge or without justifiable reason, play on fear. This includes by implication, omission, ambiguity, exaggerated or unrealistic claim or hyperbole.

The Chair noted the Complainants were concerned the advertisement encouraged people to use public transport and go to work when unwell, which goes against COVID-19 advice.

The Chair carefully reviewed the advertisement and said despite the Complainants' concerns, the likely consumer takeout was that people should stay at home and take the Codral product if they have cold or flu symptoms so that they can hopefully recover quickly and resume their normal routines.

The Chair said the narrative of the advertisement required the woman to set out to perform the wrong behaviour, in order for the Advertiser to reinforce what people should be doing, namely not going to work or using public transport if unwell. The Chair said the advertisement is clearly instructing the Veronica character, through its fantasy dinosaur storyline, that she should be at home recovering from her illness. The Chair noted the advertisement did not suggest the character should take the product and carry on, but rather she should be home recuperating in the hope that she will be able to "soldier on sooner:"

The Chair said the advertisement did not reach the threshold to breach Principle 1 or Rule 1(e) of the Advertising Standards Code or Principle 1 and Principle 2 of the Therapeutic and Health Advertising Code.

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

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

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 calendar days of receipt of this decision.