

COMPLAINT NUMBER	21/332
ADVERTISER	Brand World Ltd
ADVERTISEMENT	Boostrix Television
DATE OF MEETING	28 June 2021
OUTCOME	No Grounds to Proceed

Advertisement: The soundtrack for the Brand World 'Family Health Diary' GlaxoSmithKline television advertisement promoting the Boostrix vaccine is simply the sound of a person coughing. The text says "Whooping Cough is more contagious than the flu. It can be serious and the risk of hospitalization with whooping cough increases with age in adults. Keeping up to date with your vaccination is important because your immunity declines over time from your last dose..."

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

There were four complaints about this advertisement.

Complaint 1: Revolting cough, which is also too long, is disgusting to listen to at any time, and especially at mealtime.

Whilst I understand the reason, it does not need to go so long, I sit to enjoy news, sport and dine, not listen to that.

Complaint 2:

The Covid advertisement/announcement with the continual coughing, screened a few times when we and other people are eating, should be moved away from meal times. It's disgusting, I have no idea about what the ad is pushing, as I am sickened to the point of vomiting hearing it.

Complaint 3:

The cough in this ad is horribly unpleasant and goes on for far too long.

Complaint 4:

The coughing on this advert is disgusting and not required. I have 2 children who also find it extremely disturbing. It is a long advert which plays the sound of coughing for over 3 minutes. This is not required! It really doesn't get the message across. Please remove it

The relevant provisions were Therapeutic and Health Advertising Code - Principle 1, Principle 2, Rule 1(c):

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.

Rule 1 (c) Vulnerable audiences: Advertisements should not portray unrealistic outcomes or prey on or misrepresent vulnerable audiences (e.g. sick, elderly, pregnant women, overweight people).

The Chair noted the Complainants' concerns the sound of the coughing in the advertisement was distressing to listen to. The Chair said the advertisement was promoting a vaccine which prevents whooping cough.

The Chair referred to two precedent decisions, 19/462, which was ruled No Grounds to Proceed and 19/302, which was Not Upheld.

Complaint 19/462 concerned a television advertisement for a GlaxoSmithKline vaccine for meningitis, which showed several children with scarring and limb loss, as a result of meningitis. The Chair noted the Complainant's concerns the advertisement was encouraging parents to buy a costly vaccination by showing images of children who have lost limbs. The Chair said the advertisement was socially responsible and was using powerful evidence to support the reasons for vaccinating against meningitis.

Complaint 9/302 concerned a complaint about a GlaxoSmithKline television advertisement for Bexsero, a new vaccine to help protect against Meningococcal B disease. In that decision the Complaints Board said the advertisement did not portray unrealistic outcomes or prey on vulnerable audiences. This is because there are serious risks associated with Meningococcal B and the way these risks were conveyed in the advertisement was not scaremongering. The Complaints Board noted that while this information may be potentially distressing to parents, it was not unjustified in the circumstances.

Turning to the complaint before her, the Chair said that the precedent decisions, 19/302 and 19/462, were relevant. Like the advertisement in the precedent decisions, this advertisement was also using powerful evidence to support the reasons for vaccinating against whooping cough. The Chair said while the sound of the coughing was upsetting to some consumers, it was justified in the circumstances.

The Chair said the advertisement was socially responsible, taking into account context, medium, audience and product and was not in breach of Principle 1, Rule 1(c) or 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.