

COMPLAINT NUMBER	22/082
ADVERTISER	Brand World Ltd
ADVERTISEMENT	Boostrix Television
DATE OF MEETING	21 March 2022
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.

Complaint: Whooping Cough vaccination campaign coughing is triggering and inappropriate to play in a pandemic, this was playing in a public GP office without the television in view giving the impression someone was coughing significantly. Given the Omicron outbreak and the significant risk of infection in the community this is a very traumatizing experience. Even in private homes it risks miscommunication between family members who assume someone is coughing. This advertisement takes no care to think of people's fears developed over the past years of the pandemic. I support vaccination, I am a nurse vaccinator, but I don't believe it's ethical to scare people so significantly in order to convince people to get vaccinated.

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

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(g) Fear and distress: Advertisements must not cause fear or distress without justification.

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.

The Chair noted the Complainant's concern it was inappropriate to play this advertisement due to the sound of the coughing which could be distressing to listen to, especially during the COVID-19 pandemic. The Chair said the advertisement was promoting a vaccine which prevents whooping cough.

The Chair said while she acknowledged the genuine concerns of the Complainant this issue has been considered previously, both in regards to the television advertisement for Boostrix and in regards to a GlaxoSmithKline vaccine for meningitis.

The Chair referred to precedent decision, 21/332, regarding four complaints for this same advertisement for the Boostrix vaccine, which was ruled No Grounds to Proceed. Decision 21/332 contains references 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 19/302 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 advertisements 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 or Rule 1(g) of the Advertising Standards Code or Principle 1 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 with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.