

COMPLAINT NUMBER	22/089
ADVERTISER	Arrotex Pharmaceuticals Pty Limited
ADVERTISEMENT	BioSlim TVNZ App
DATE OF MEETING	28 March 2022
OUTCOME	No Grounds to Proceed

Advertisement: The BioSlim TVNZ App video advertisement shows a mother puffing as she runs after her children. The voiceover says "I want to be healthier for my kids". The BioSlim product is then introduced by an "Accredited Practising Dietician" who says "Combined with exercise and a well structured diet, BioSlim can help you lose weight". The advertisement shows shots of the product range and of the mother drinking the product, exercising, standing on scales and then running after her children, smiling. The advertisement includes disclaimers in small print such as "The BioSlim VLCD program is for the dietary management of obesity. For use under supervision from your health professional. Only total meal replacement shakes with SlimBiome in Australasia" and "Weight loss takes time and effort to be successful...". (VLCD means Very Low Calorie Diet).

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

Complaint: This advertisement is incredibly harmful to those suffering from disordered eating and impressional young people. These drinks talk about health and well-being, but they are promoting, as the web describes it, 'a mild laxative'. This doesn't lead to health, this leads to eating disorders, gut and bowel problems and encouraging a liquid only diet. It is amazing to me that despite all the education we have received recently regarding weight loss drinks, this is still being advertised regularly to possible impressional viewers and those feeling awful about their weight.

On top of this, the Consumer Affairs website

(<https://www.consumeraffairs.com/nutrition/bioslim.html>) rates this drink 1.5/5 stars, which I believe speaks for itself.

Please take this advertisement off our screens for the sake of actual health.

The relevant provisions were Therapeutic and Health Advertising Code - Principle 1, 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.

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 Complainant was concerned that the advertisement could be harmful to vulnerable audiences such as people with eating disorders and young people.

The Chair reviewed the advertisement and said the likely consumer takeout was it promoted BioSlim products to those interested in assistance with weight management. The Chair noted

the Complainant's view about the product being advertised. However, she confirmed the ASA's jurisdiction related to the content and placement of the advertisement.

Rule 1(c) of the Therapeutic Code required the Chair to consider if the advertisement was targeting vulnerable audiences. While acknowledging the Complainant's concerns, the Chair said the content and placement of the advertisement did not specifically target vulnerable audiences. The Chair said the advertisement would be seen by a range of viewers when broadcast but was likely to be of particular note to people with weight management issues. The Chair noted the advertisement included the text "For use under supervision from your health professional."

The Chair said the advertisement had met the required high standard of social responsibility and did not meet the threshold to breach Principle 1 or Rule 1(c) 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.