

# ANONYMOUS v TEVA

## Qvar journal advertisement

An anonymous complainant drew attention to an advertisement for Qvar, issued by Teva and published in Pulse, alleging that it was unacceptable to show partially clothed people. The complainant considered that the advertisement undermined the serious nature of medicines and was disrespectful of the intended audience.

The Panel noted that the advertisement featured a photograph of a beach scene with a few bikini clad women, but dominating the picture was a young man in swim shorts blowing up a giant lilo. It appeared to the Panel that the picture illustrated what good lung function could mean in a practical sense. The Panel did not consider that the complainant's view regarding the acceptability of the advertisement would be shared by the majority of the audience.

The Panel did not consider that the advertisement failed to recognise the special nature of medicines or the professional standing of the audience to which it was directed. Similarly the Panel considered that the advertisement was not unreasonable in relation to the requirement that high standards must be maintained at all times. No breach of the Code was ruled.

A complainant writing as an 'Anonymous reader of PULSE', complained about an advertisement (ref IV/QV/AD/02/07) for Qvar (beclomethasone dipropionate) placed by Teva UK Limited in that publication.

### COMPLAINT

The complainant noted that the Qvar advertisement prominently displayed partially clothed individuals. The complainant was very surprised that it was acceptable for a pharmaceutical company to implement this particular marketing strategy to attract attention. This strategy undermined the serious nature of medicines and disrespected the professional and academic background of the intended audience.

The imagery contrasted remarkably with that used in advertisements for other products in Pulse and perhaps unfairly reflected negatively on the industry as a whole. The complainant believed that it might also offend sections of the intended audience on a number of levels.

When writing to Teva, the Authority asked it to respond in relation to Clauses 9.1 and 9.2 of the Code.

### RESPONSE

Teva did not consider that the Qvar advertisement used partially clothed individuals to attract attention. The focus and most prominent part of the image was a person on a beach holiday blowing up a lilo.

The intention of the advertisement was to suggest that asthmatics could lead a normal life and enjoy normal activities at this time of year, such as going to the beach and blowing up a lilo, an activity that was potentially achievable by someone who was free of their normal asthma symptoms. Teva was fully aware of the serious nature of asthma and did not believe this advertisement undermined the serious nature of medicines.

Market research conducted prior to the publication of the advertisement, with a testing panel of twelve GPs and twelve nurses, showed that the beach scene advertisement was the preferred advertisement. Six different advertisement concepts were presented and the health professionals were asked to identify their preference. In depth interviews were then conducted to further understand the reasoning for their decisions. None of the health professionals stated that the advertisement caused offence or undermined the serious nature of medicine.

On review of Pulse Teva did not believe that the Qvar advertisement was in marked contrast to advertisements for other products. The advertisement at issue was also published in numerous other journals, such as GP, Dispensing Doctor, Mims, Independent Nurse, and Guidelines in Practice. Examples were provided of current and past advertisements contained in the same publication of Pulse and in the other journals in which the Qvar advertisement had appeared. Teva did not consider the imagery in the Qvar advertisement to be fundamentally different to the use of partially clothed people in these advertisements.

In summary, Teva did not consider that the advertisement at issue was in breach of Clauses 9.1 or 9.2 of the Code.

### PANEL RULING

The Panel noted that the advertisement featured a photograph of a beach scene with a few bikini clad women, but dominating the picture was a young man in swim shorts blowing up a giant lilo. It appeared to the Panel that the picture illustrated what good lung function could mean in a practical

sense. It was unfortunate that the complainant had considered that the advertisement could offend and that it undermined the serious nature of medicines and was disrespectful to the intended audience. This view would not be shared by the majority of the audience.

The Panel did not consider that the advertisement failed to recognise the special nature of medicines or the professional standing of the audience to which it was directed. No breach of Clause 9.2 was ruled.

Similarly the Panel considered that the advertisement was not unreasonable in relation to the requirements of Clause 9.1 which stated that high standards must be maintained at all times. No breach of Clause 9.1 was ruled.

**Complaint received**      **29 March 2007**

**Case completed**        **27 April 2007**