

DOCTOR v FOREST

Promotion of Exorex Lotion

A doctor referred to an advertisement for Exorex Lotion (coal tar solution 5% v/w cutaneous emulsion) issued by Forest which featured a photograph of a young woman walking through a supermarket in her underwear; a man looked on open-mouthed. The complainant thought that a sexual element had been introduced into the picture. Whilst this type of advertising might be used for beauty products etc, the complainant did not consider it appropriate for prescription medicines.

The detailed response from Forest is given below.

The Panel considered that the photograph would attract attention however it was relevant to the therapeutic area. The theme of the advertisement was improving the confidence of psoriasis patients. The claim 'Exorex. It has been known to improve confidence.' appeared next to the photograph of the woman. The underwear worn by the woman in the photograph was plain black and not skimpy. Whilst noting the complainant's views, the Panel did not consider that the advertisement failed to meet the requirements of the Code. The advertisement would not offend the majority of the intended audience. No breach of the Code was ruled.

A doctor complained about a journal advertisement for Exorex Lotion (coal tar solution 5% v/w cutaneous emulsion) issued by Forest Laboratories UK Limited.

COMPLAINT

The complainant thought that the advertisement was inappropriate and might not be up to the standards governing the pharmaceutical industry. The advertisement featured a photograph of a young (20-25 year old) woman walking in only her underwear through a supermarket, while a man stood looking at her, open-mouthed. The woman in the advertisement was young/attractive, and being photographed in her underwear, the complainant thought that a sexual element had been introduced into the picture. While this type of advertisement might be used for beauty products etc, the complainant did not think that it was a good thing for prescription medicines.

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

RESPONSE

Forest was surprised to receive this complaint about an advertisement which had run in the medical

press for the past six months; the company had put a substantial amount of thought into this advertisement before it was approved for publication, and it believed that it had adhered to the spirit of the Code. In particular, Forest took into account Clause 9 and its supplementary information which proposed that companies should avoid 'the display of naked or partially naked people for the purpose of attracting attention to the material or the use of sexual imagery for that purpose'.

As Exorex Lotion was indicated for the treatment of psoriasis (a common serious dermatological condition that might widely affect the skin), consistent with conventional advertising practice, it was inevitable that partially naked people featured in the material, just as they did in other advertisements for dermatological products. Forest noted that the complainant's attention was drawn equally to the 'open-mouthed man' suggesting that there were multiple points of focus in the advertisement which addressed the issue of self esteem and confidence of people with psoriasis. Forest noted that the use of partially naked people was widespread in the promotion of prescription medicines for dermatological conditions, and a selection of other advertisements was provided. Forest considered that the Exorex advertisement was in line with current industry standards.

The depiction of partially naked people to promote medicines had been ongoing for a long time. Forest noted the advertisements for the breast cancer medicine, Taxotere, which recreated the painting of 'Liberty Leading the People' by Delacroix, and featured a naked breast [Case AUTH/1076/9/00]. Recollection was that it was deemed by the PMCPA that it was in context to show a naked breast in an advertisement for breast cancer, and thus it seemed entirely within the precedent set to show unclothed skin in an advertisement for psoriasis.

The essence of the advertisement at issue was confidence, and the visual conveyed the concept that a psoriasis patient (typically young adults) had responded to therapy and her confidence had increased so much that she wanted to show off her skin to everyone. The advertisement was clearly a light-hearted attempt to summarise a critically important issue for psoriasis sufferers. In the newsletter of the Psoriasis Arthropathy Alliance, Chandler (2005) reported that in a study of 444 psoriasis patients (281 females), 45% of patients reported hiding their psoriatic skin, 58% that their self esteem was affected by the condition and 60% said the disease adversely affected their self confidence. It was noted that normal everyday things could be a challenge, down to the colour of

clothes they wore – would their clothes reveal all the shed skin flakes? Patients with active disease avoided wearing black. Ramsay and O'Regan (1988) reported the results of a survey of the social and psychological effects of psoriasis in 104 patients attending a dermatology clinic. They noted that large numbers of patients avoided swimming and sunbathing because of their psoriasis (72% and 60% respectively) including almost half (46%) of those with mild disease. It was noted that a small percentage (11.5%) avoided leaving their own homes because of psoriasis (making a trip to a supermarket impossible!). It was therefore self evident that an effective psoriasis treatment might improve social wellbeing, including confidence. In a study of Exorex Lotion in mild to moderate psoriasis (Goodfield *et al*, 2003) 38% of patients showed a marked improvement or clearance of their psoriasis after 12 weeks' treatment based on an investigator global assessment of improvement. This well-controlled study supported Forest's advertisement image of healthy looking skin.

Furthermore, Forest considered that the image of the female conveyed that she had found a way of overcoming the social and psychological issues of her disease. Her costume was relatively unrevealing featuring 'big underwear', where no impression of sexual/private parts of the body were seen or implied. All that was on view were areas of the skin that might be seen every day in other contexts (eg a gym, but the advertisement was context loaded.) The clothing was black, underlying the idea that her hair/scalp and torso did not shed flakes. The onlooker was astounded to see that someone had had the confidence to walk through a supermarket, and given the recent press reports of various states of undress by female shoppers in some supermarkets, parodied the news stories.

Forest therefore proposed that the image used in

the advertisement was appropriate to convey the ideas of confidence, and that it had not breached Clause 9. It was conventional practice to show partially clothed bodies when promoting dermatologicals, and Forest had taken care to make the advertisement proper for the intended purpose.

PANEL RULING

The Panel noted the requirement of Clause 9.1 of the Code that high standards must be maintained at all times. Clause 9.2 required that materials and activities must recognise the special nature of medicines and the professional standing of the audience and must not be likely to cause offence. The supplementary information to Clauses 9.1 and 9.2 stated that the display of naked or partially naked people for the purpose of attracting attention and the use of sexual imagery for that purpose was unacceptable.

The Panel considered that the photograph used in the advertisement at issue would attract attention however it was relevant to the therapeutic area. The theme of the advertisement was improving the confidence of psoriasis patients. The claim 'Exorex. It has been known to improve confidence.' appeared next to the photograph of the woman. The underwear worn by the woman in the photograph was plain black and not skimpy. Whilst noting the complainant's views, the Panel did not consider that the advertisement failed to meet the requirements of Clauses 9.1 or 9.2 of the Code. The advertisement would not offend the majority of the intended audience. No breach of Clauses 9.1 and 9.2 was ruled.

Complaint received **16 March 2010**

Case completed **13 April 2010**
