

ASA Ruling on Mirage Cigarettes Ltd

Mirage Cigarettes Ltd

48 Broadfield Road
Sheffield
South Yorkshire
S8 0XJ

Date:

29 April 2015

Media:

Television

Sector:

Leisure

Number of complaints:

5

Agency:

White Noise Productions

Complaint Ref:

A15-292291

Ad

A TV ad, for electronic cigarettes, showed a man handing a woman an electronic cigarette, as he held another, and then her using the product. Several shots, including those of on-screen text that stated “CHOICE”, “FLAVOUR” and then “FREEDOM”, as well of as of the products in the final scene, and the couple, featured vapour-like clouds.

Issue

Five viewers, several of whom believed the depiction of the couple glamorised smoking tobacco products, challenged whether the ad promoted the use of tobacco products.

BCAP Code

Response

Mirage Cigarettes said the ad, which was intended to specifically promote electronic cigarettes, did not show, or make any reference to, tobacco products. It also did not show the products in use or the characters inhaling. Mirage Cigarettes said they had shown styles of electronic cigarette that did not resemble tobacco products and pointed out that the products shown in the ad were larger than tobacco cigarettes, as well as being metal. They believed the material, construction and design of the products shown meant it was clear the ad was not for a tobacco product. In addition, the voice-over also specifically referred to electronic cigarettes only.

Clearcast considered the ad to be acceptable because they believed the imagery and language used was restrained. They considered the elements in it served only to make consumers aware of the brand. The products were not shown in use and the actors were mature individuals, who were depicted spending time together but with limited interaction. There was no flirtation or other elements that could be considered frivolous or to suggest that their interaction had been improved by the presence of the products. There was also no interaction with the audience. In addition, viewers were informed only that they had "CHOICE", in relation to the flavours, and the reference to "FREEDOM" was abstract but also related to choice of flavours. The ad, which carried a timing restriction to ensure it was kept away from those under-18 years of age, made clear that the products were electronic cigarettes and that some of the product range included nicotine.

They said the products did not resemble traditional tobacco products. That was made clear by the shots both during the ad and in the final scene, which also showed small bottles of e-liquids not associated with tobacco products. There was very little language promoting the products, but where it was used there was no terminology specifically associated with tobacco products. Clearcast also said the characters had little interaction with the products; they were only passed from one character to another and then the bottom end of an electronic cigarette was shown without any context. While there was a brief shot of one of the actors with the product between their lips, and another of them holding it in their hand, away from their mouth, there was no inhalation or exhalation occurred, and at no time were the products handled in a way that was reminiscent of the act of smoking a tobacco product.

Assessment

Upheld

The ASA noted the products shown did not resemble traditional tobacco cigarettes. Also, the ad did not use terminology associated with tobacco products, and the voice-over and on-screen text towards the end of the ad referred to e-cigarettes.

However, the central focus of the ad was the couple, who were shown handling the products, and we considered the general impression was one of sultry glamour and intimacy. One shot focused on the woman's lips as she removed the product from her mouth and on several occasions the couple were shown with heavy vapour, which appeared to be as a result of the products being used out of shot. In addition, the shots that featured the text "CHOICE", "FLAVOUR" and "FREEDOM" featured heavy vapour, which we considered had the appearance of tobacco smoke. We considered the prominence of the heavy vapour throughout the ad, in conjunction with the music, the shots of the couple, and the softly spoken voice-over, which contributed to the ad's sultry and glamorous tone, created a strong association with traditional tobacco smoking.

While it was clear that the products shown were electronic cigarettes, because the ad created a strong association with traditional tobacco smoking and presented it as the central focus in a sultry and glamorous, and therefore in a positive way, we concluded that it indirectly promoted the use of tobacco products.

The ad breached BCAP Code rules 33.1 and 33.3 (Electronic Cigarettes).

Action

The ad must not be broadcast again in its current form. We told Mirage Cigarettes Ltd to ensure their future advertising did not promote the use of tobacco products.