

ASA System briefing note on body image, weight loss, prescription only medicines (POMs) and cosmetic surgery

A note for policymakers



Background

The UK Advertising Codes contain general rules that all ads should be prepared with a sense of responsibility to consumers and society. The rules ensure ads don't contain anything that is likely to be irresponsible or can lead to harm.

A particular issue we're aware of is the impact negative body image can have. A wide range of contributing factors can affect people's body confidence and how they see and think about themselves. To mitigate any role that advertising might have, we've established a strong track record of banning ads that are likely to encourage / condone harmful behaviours or attitudes related to body image.

We can and will take action where ads depict people in a way that makes them appear unhealthily thin, whether that's through airbrushing or simply the angle of a photo, the model's pose or the way it's lit.

Our rules also prohibit ads that mislead about the effect a cosmetic product can have, or where an ad for beauty treatment or product is inappropriately targeted, irresponsible or harmful.

Reflecting the law, our rules don't allow the advertising of prescription only medicines (POMs). We've been using our AI-powered Active Ad Monitoring System to monitor for such ads, and working with platforms to get them swiftly removed when they do appear.

We respond quickly and effectively to consumer complaints, banning ads on the infrequent occasions when the rules are broken. And we have rebalanced our regulation, shifting away from complaints-led investigations towards front-foot ASA-led tech-assisted monitoring and enforcement action.

The ASA continues to work with the beauty, cosmetics and fashion sectors, through educational events and training seminars, to maintain high rates of compliance with the rules. And we continue to assess the evidence base around the potential for body-image advertising related harms to ensure our rules continue to provide effective protections.

It's important to note that our rules only apply to advertising only - products and services themselves are regulated by bodies such as the Medicines and Healthcare products Regulatory Agency (MHRA), the Department of Health and Social Care and the General Pharmaceutical Council. We have strong relationships with these bodies, and work with them on a regular basis to tackle body image-related issues.

This briefing covers:

- Ads which promote an unhealthy body image
- Ads for cosmetic procedures
- Ads for weight loss / slimming products
- Ads for POMs (including weight loss drugs)
- Influencer advertising
- Our next steps on body image

Ads which promote an unhealthy body image

Whilst the use of thin models is not automatically considered socially irresponsible, ads must ensure that models are not depicted in a way that makes them appear unhealthily thin or underweight, through the use of lighting, makeup, a choice of clothing and pose. Ads must also not suggest that being unhealthily thin is somehow glamorous or otherwise desirable.

We have taken action, and will continue to take action, against ads which irresponsibly exploit the insecurities of children, young people and vulnerable groups about their bodies.

Additionally, in 2018, we introduced a rule which prohibits ads from including gender stereotypes that are likely to cause harm or serious or widespread offence. The accompanying guidance advises that advertisers must take care to avoid suggesting that an individual's happiness or emotional wellbeing should depend on conforming to an idealised gender-stereotypical body shape or physical features.

Ads should also be sensitive to the emotional and physical well-being of vulnerable groups, such as children, young people or new mothers, who may be under pressure to conform to particular gender stereotypes.

Key rulings:

JA Physique Ltd: An ad on Jake Abbott's Instagram was irresponsible as it exploited young people's insecurities about body image.

Maie SAS: A paid-for Instagram post featured a model who appeared unhealthy thin and was irresponsible.

Ads for Cosmetic Interventions

Our rules contain various restrictions on how cosmetic interventions can be advertised as well as an overarching principle that all ads should be responsible.

Ads for cosmetic interventions should not detract from the seriousness of the interventions offered.

Ads for cosmetic surgery procedures mustn't:

- Give the impression that a procedure should be undertaken lightly
- Use a tone or approach that could be seen to trivialise the seriousness of the decision to undergo cosmetic surgery
- Play on consumers' insecurities or suggest a cosmetic intervention would be able to solve a consumer's personal or emotional issues
- Portray the procedure as "safe," "easy" or "risk free" because no surgery is without risk
- Put undue pressure on consumers to purchase or take advantage of a time-limited promotional offer
- Use countdown clocks and claim such as "hurry, offer must end Friday"

We've recently worked with the Foreign, Commonwealth and Development Office and the Turkish Government to issue an Enforcement Notice to cosmetic surgery providers based abroad, setting out the strict advertising rules in place that are designed to protect people from potential harm.

Our new rule on advertising cosmetic procedures

Children and young people are particularly vulnerable to body image pressures which can have an impact on their self-esteem, wellbeing, mental health and behaviours.

In 2021, we introduced new rules banning ads for cosmetic procedures from being directed at under-18s.

The new rules require that:

- Ads for cosmetic interventions mustn't appear in non-broadcast media directed at under-18s
- Ads for cosmetic interventions mustn't appear in other non-broadcast media where under-18s make up over 25% of the audience; and
- Broadcast ads for cosmetic interventions mustn't appear during / adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to under-18s.

Key rulings:

Grand Clinic: A paid-for Facebook ad for a cosmetic clinic in Türkiye was irresponsible for exploiting mothers' insecurities around body image; making time limited special offers, pressuring consumers into purchasing surgery; and misleadingly omitting information around the need for a pre-consultation.

MYA Clinics Ltd: Two display ads for MYA Cosmetic Surgery seen on the Quizlet website, an online resource providing tools for studying, were inappropriately targeted to under 18s through the context in which they appeared.

Weight loss/slimming ads:

Our rules contain various restrictions on the claims that can be made in ads for weight loss products or regimes.

- Any claims made for the effectiveness or action of a weight-reduction method or product must be backed (if applicable) by rigorous trials on people.
- Ads for lifestyle weight management programmes can't reference obesity unless the programme meets certain standards.
- Ads for weight reduction programmes must not be directed at or contain anything that is likely to appeal to under-18s or those for whom weight reduction would produce a potentially harmful bodyweight.
- Advertisers must be able to show that their diet plans are nutritionally well-balanced.
- Diets of under 800 calories per-day must only be promoted for short-term use and must encourage users to take medical advice before embarking on them.
- Ads must not claim that people can lose precise amounts of weight within a stated period or that weight can be lost from specific parts of the body.
- Health claims in ads for food products must not refer to a rate or amount of weight loss.

Key rulings:

The Clean Supps LLC: A paid-for Facebook ad for a weight-loss supplement made unauthorised health claims, made claims that people could lose fat from specific parts of the body and referred to a rate or amount of weight loss which is prohibited by our rules.

BoomBod Ltd: Ads on Instagram for weight loss products were banned for making unauthorised health claims, claims about rate or amount of weight loss and promoting diet products in an irresponsible way.

POMs:

Prescription-only medicines cannot be advertised to the general public.

We identified a trend of these ads appearing on social media, particularly in organic Instagram posts, and took action to ensure advertisers reviewed their advertising. We used monitoring technology to identify where these ads were appearing and flagged them with the platform to have them quickly removed.

In 2020 we sent an Enforcement Notice on Botox ads to 130,000 businesses across the beauty and cosmetic services industry.

Our Compliance Team have been proactively monitoring online ads for products like Botox and reporting them to the platforms to get them taken down

Weight loss drugs:

We've seen a growing trend in the advertising of weight-loss drugs, such as Ozempic and Wegovy. These drugs fall into the category of POMs, and so aren't allowed to be advertised to the public.

We are carrying out ongoing proactive work around ads for weight loss treatments. This includes using our Active Ad Monitoring system to identify potential problem ads online and taking action where the rules are being broken.

This system monitors thousands of organic social media posts a day and determines which are likely to be ads and which of those ads are likely breaking the rules. We place a particular focus on monitoring ads in non-paid space such as on Instagram where we are doing a lot of work, alongside the platform, in taking action against ads for prescription only medicines (including weight loss treatments such as Ozempic). While not every one is a weight loss specific ad, we are removing just shy of 100 posts a day for these types of product.

Key Rulings:

Skippy Revolution Ltd: Four Instagram post by a weight loss injection provider were banned for making irresponsible weight loss claims, for promoting prescription-only medicines to the general public and for exploiting people's insecurities around body image during lockdown.

Lucy Isabella Beauty & Aesthetics: We banned an ad for advertising Kenalog, a prescription-only medicine, to the public.

Influencer Advertising

Influencer advertising is covered by our rules, be it in the form of a blog, vlog, tweet, post, story or other channel-specific format.

Influencers advertising cosmetic interventions mustn't target under-18s.

Similar rules apply to ads for slimming/weight loss products/regimes in that they must not be directed at under-18s or appeal particularly to them.

Influencers and advertisers promoting beauty products, and indeed any other appearance enhancing products, are advised to avoid applying filters to photos or videos which are likely to exaggerate the effect the product is capable of achieving. For example, we banned a post by an influencer for using an Instagram filter to exaggerate the efficacy of a tanning product.

As part of our More Impact Online strategy, both the ASA and CAP have invested significant resource and effort into helping the influencer marketing industry understand their responsibilities under the ad rules.

Body Image Call for Evidence

We recently ran a Call for Evidence seeking an up-to-date understanding of the current evidence base surrounding potential body image related harms from advertising and the potential detrimental impact of those harms on consumers. The primary objective of the Call for Evidence was to

determine whether there are harms arising from advertising in this area that are not adequately addressed by existing rules and guidance.

Having analysed the submissions we ran in-depth evidence reviews into the following issues:

- The labelling of digitally-altered images in advertising
- Depictions of muscularity in ads
- Depiction of women from minority ethnic backgrounds in ads and the potential for creating new and unattainable body image ideals

[Final statement:](#)

Our review of the evidence base led us to the conclusion that there is, at present, not a case for introducing new rules and guidance. However, some risks and harms that were raised by stakeholders could be mitigated by industry efforts to diversify body types that are depicted in ads.