



Case Report

1	Case Number	0006/15
2	Advertiser	Schweppes Australia Pty Ltd
3	Product	Food and Beverages
4	Type of Advertisement / media	Cinema
5	Date of Determination	28/01/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Depiction of smoking/drinking/gambling

DESCRIPTION OF THE ADVERTISEMENT

A group of people at a restaurant are served Schweppes mineral water by waiters who mimic the opening of champagne bottles when opening the drinks. A food fight then starts amongst the diners and waiters and we see people drinking from Schweppes mineral water bottles. The final text on screen reads, "Here's to adulthood".

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

- 1. The advertisement identifies with alcohol with the music over voicing 'drink drink drink ...' (encouraging the watcher to drink along the lines of "skull, skull, skull" of drinking games)*
- 2. This is associated with people losing their usual control and acting more as a mob and having a great time.*

The implication being that alcohol combined with Schweppes mixers can lead to a great time.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

We refer to your letter concerning a complaint received by ASB in relation to a Schweppes TV advertisement (Advertisement) produced by Schweppes Australia Pty Limited (the Advertiser). We appreciate the concern, however the Advertisement is intended to be light-hearted and whimsical. We do not condone or promote any kind of irresponsible social or public behaviour, especially anything that endangers the welfare of individuals or others.

The Advertisement features a sophisticated, crowded restaurant with customers enjoying fine food before a food fight starts, ignited by spraying Schweppes Mineral Water. The music track is a Cat Empire song, which was selected for its building beat and exciting feel. The final frames are of the Schweppes logo and the copy, 'Here's to Adulthood' appears on the screen.

The complaint refers to the music and "Schweppes Mixers" products in the Advertisement as "identifying with alcohol", encouraging people to act with a "mob mentality" with the implication that alcohol combined with Schweppes mixers can lead to a "great time" and as such is in breach of Section 2 of the AANA Advertiser Code of Ethics.

We believe the advertisement is within Section 2 of the AANA Advertiser Code of Ethics guidelines because of the following:

- 1. This Advertisement is for Schweppes Mineral Water and not Schweppes Mixers. The Mineral Water products depicted in the Advertisement are not designed to be consumed with alcohol.*
- 2. There is no alcohol whatsoever in the Advertisement.*
- 3. The music track was selected for the building beat and exciting feel. Whilst the words "drink drink drink" appear in the song, the only drinks being consumed and promoted are Mineral Waters.*
- 4. The Advertisement is intended to be light-hearted and demonstrate innocent child-like fun amongst adults and does not depict aggressive, dangerous or unsocial behaviour.*

THE DETERMINATION

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board noted the complainant's concern that the advertisement encourages the excessive consumption of alcohol.

The Board viewed the advertisement and noted the advertiser's response.

The Board considered Section 2.6 of the Code. Section 2.6 of the Code states: “Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety”.

The Board noted that the advertisement features diners at a restaurant drinking Schweppes and then starting a food fight with one another.

The Board noted it had previously dismissed a similar complaint against the same advertiser in case 0417/13 where:

“The Board noted the advertisement features a party scene in someone’s home that shows various scenes of preparing for a party and mixing beverages with Bacardi and dancing and enjoying a good time among friends. The final shot reads “Schweppes” and “cocktailrevolution.com.au”

The Board noted that the product itself is not an alcoholic beverage. The Board noted that the main focus of the advertisement is the soda water and considered that the suggestion it can be mixed with alcohol does not of itself amount to a suggestion of drinking alcohol to excess.”

In the current advertisement the Board noted that whilst we see a waiter spraying a bottle of Schweppes in a manner suggestive of opening a bottle of champagne there is no alcohol depicted in the advertisement and the actors are shown drinking Schweppes direct from the bottle so there is no suggestion that the Schweppes has been used as a mixer for an alcoholic beverage.

The Board noted the complainant’s concern that the accompanying music encourages people to drink alcohol. The Board noted its previous determination in case 0417/13 where:

“The Board noted the upbeat song being played in the background and the lyrics that refer to “dance all day and never stop.” The Board noted that the guests at the party are not seen acting in inappropriate ways nor is there any suggestion that they are drunk or drinking to excess.”

The Board noted the current advertisement features a Cat Empire song with an upbeat tempo and includes the lyrics, “drink, drink, drink”. The Board considered that ‘drink’ does not necessarily refer to drink alcohol and the use of the song in the context of an advertisement for a soft-drink which shows people consuming soft drinks is not inappropriate and does not amount to an encouragement to drink alcohol or to drink alcohol to excess.

The Board noted that the guests and waiters at the restaurant are engaging in a food fight but considered that there is no overt suggestion that alcohol has been consumed or that any of the participants are intoxicated or not in control of their behaviour as a result of consuming alcohol.

The Board noted that the food fight is good-natured and considered that there is no depiction or suggestion of anyone being harmed as a result of the food being thrown.

The Board considered that the advertisement did not depict material contrary to prevailing community standards on the safe and responsible consumption of alcohol.

The Board determined that the advertisement did not breach Section 2.6 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.