



Case Report

1	Case Number	0008/11
2	Advertiser	Independent Distillers Aust (Pty Ltd)
3	Product	Alcohol
4	Type of Advertisement / media	Billboard
5	Date of Determination	09/02/2011
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

Three young men - one on a skateboard - advertising alcoholic beverages.

THE COMPLAINT

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

The boy on the skateboard looks under 18. The ad seems to target under age drinking by using the kid on the skateboard. Also the location of the billboard is at a train station which is used by three nearby schools.

I think this ad sends the wrong message to kids and should be removed.

The advertisement depicts young men who look no older than 18 years of age who are clearly not of legal drinking age. The advertisement appears to be targeting teenagers in an effort to make them buy the alcoholic beverage. The advertiser has a moral and legal responsibility to not target children.

THE ADVERTISER'S RESPONSE

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

The advertiser has not provided a response.

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 complainants’ concerns that the men in the advertisement are under the legal drinking age and that the advertisement appears to be aimed at under 18s.

The Board reviewed the advertisement and noted the failure of the advertiser to provide a substantive response to the complaints.

The Board considered whether the advertisement was in breach of 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 this complaint concerns billboard advertisements for Three Kings alcoholic drinks: cider, beer, and vodka and ginger, and that two of the advertisements feature three male models, each holding a Three Kings bottle, and the third advertisement shows one of the models skateboarding whilst the other two models walk behind him.

The Board noted the advertiser’s previous response to ASB Case 536/10 that the three main models in the advertisements are all over the age of 18 years, and considered that whilst they do appear to be young they do look above 18 years and are therefore a legal age to consume alcohol.

The Board noted that skateboarding has an appeal both to under and over 18s, and considered that whilst the advertisement showing one of the models skateboarding is targeted at over 18 year olds, it is not the best choice of image to be chosen for an alcohol advertisement, especially as there are young children to be seen in the background of the image.

However, the Board considered that the advertisements are directed at young men over the age of 18 years and while, in the Board’s view, the association of young adults, skateboarding and alcohol is not desirable, such a depiction is not contrary to prevailing community standards around health and safety as alcohol is able to be consumed by people over 18. The Board determined that the advertisement did not depict material contrary to prevailing community standards on health and safety and 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.

