



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

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| 1 | Case Number | 0009/14 |
| 2 | Advertiser | Fosters Australia, Asia & Pacific |
| 3 | Product | Alcohol |
| 4 | Type of Advertisement / media | TV |
| 5 | Date of Determination | 29/01/2014 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The advertisement opens on a bloke in his lounge room watching the cricket on television and enjoying a single stubby of beer. We then see a bloke at his BBQ and again a single stubby of beer is shown. The collection of scenes that follow (the next 11 seconds of the TVC) have different people doing an assortment of jobs with no alcohol present. These scenes include rolling out plans on a work bench, painting a wall, digging in a garden bed and then mowing the lawn, drilling a piece of wood, filling a small blow up pool by hand with a hose, mending a chair, fixing a tap, taping the previously mentioned blow up pool, rolling out lino and checking a door.

A VB scoreboard is prominent throughout the TVC - the scoreboard remains static while the background 'action' scenes change behind it - demonstrating how it can keep blokes informed of the cricket scores no matter what they're doing. The TVC ends by communicating how consumers can enter the promotion by purchasing a carton of Victoria Bitter.

THE COMPLAINT

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

This may encourage drinkers to think that it is acceptable to use machinery while drinking. This is irresponsible advertising when we are reminded by liquor vendors to drink responsibly.

THE ADVERTISER'S RESPONSE

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

Thank you for your recent correspondence in relation to a VB television commercial (TVC) that is promoting the VB Scoreboard promotion. The reference number is 0009/14 and it relates to a single (1) complaint.

The VB Scoreboard promotion TVC is designed to communicate the 2013/14 VB summer cricket promotion, where the major prize is a Live Ashes Scoreboard. The prize sits front and centre throughout the 30 second TVC. The scoreboard features the VB logo and provides the time, cricket match details plus real time cricket scores and comments.

The TVC demonstrates the scoreboard's functionality and shows a wide range of Australian summer scenes, with different people depicted at different times of day and in different locations doing various household jobs. The scoreboard is prominent throughout the TVC - the scoreboard remains static while the background 'action' scenes change behind it - demonstrating how it can keep blokes informed of the cricket scores no matter what they're doing. The TVC ends by communicating how consumers can enter the promotion by purchasing a carton of Victoria Bitter.

The complainant is concerned that the advertisement depicts that "Men are shown drinking while operating machinery e.g. lawn mower, electric hand tools." And that this may "encourage drinkers to think that it is acceptable to use machinery while drinking". To be clear, the talent is not shown drinking whilst operating machinery as thought by the complainant. There are no alcohol products and no alcohol consumption in scenes where the talent is operating machinery. Furthermore the nature of the TVC means you are not left with the impression that you are watching one person doing all the jobs. Each scene appears unique with different jobs and different men. Where consumption is depicted it is very limited and only in settings (in the lounge room and BBQ scenes) where it is appropriate to consume a beer.

The opening scene shows a bloke in his lounge room watching the cricket on television and enjoying a single stubby of beer. We then see a bloke at his BBQ and again a single stubby of beer is shown. The collection of scenes that follow (the next 11 seconds of the TVC) have different people doing an assortment of jobs with no alcohol present. These scenes include rolling out plans on a work bench, painting a wall, digging in a garden bed and then mowing the lawn, drilling a piece of wood, filling a small blow up pool by hand with a hose, mending a chair, fixing a tap, taping the previously mentioned blow up pool, rolling out lino and checking a door. Whilst the VB scoreboard is present in these scenes, as stated earlier there is no alcohol present and all the talent appear sober and competent at the jobs they are undertaking. The final scenes show the BBQ setting again and also a bottle shop where a consumer is purchasing a carton of VB in order to enter the promotion.

Whilst there is consumption shown in the lounge room and BBQ scenes, these are clearly different scenes with different people in comparison to the 'job/machinery' scenes (where no alcohol is present/consumed). This is easily discernable by virtue of the fact that the talent are dressed in different outfits and shown in different and varied settings. Each unique scene is shown reasonably quickly but with enough time to create the impression that the men are simply doing a job with their VB scoreboard close by. This 'take out' is further supported by

the fact that that we have only received one complaint voicing concerns about alcohol consumption whilst operating machinery. For your information, the TVC has been on air nationally since 21 November 2013 and has been viewed by over 6.7 million adults at least once. As such I don't think the complainant could be said to be representative of how people view and interpret the TVC.

The voiceover that accompanies the images in the TVC is as follows: "Introducing the live cricket scoreboard from Victoria Bitter. Never miss a moment of the cricket this summer, even if you're planning, painting, growing, mowing, drilling, filling, fixing, fixing, fixing, reflooring, restoring, realigning or doing a bit of outdoor dining. You'll never miss a run, ball or wicket. So buy specially marked cartons of Victoria Bitter for your chance to win." The voiceover makes no reference to consuming alcohol whilst undertaking the activities. It's all about having the cricket scores at your fingertips. The only reference to alcohol (beyond the brand name) is the tail end of the TVC where you are informed that you need to purchase a carton of VB to enter the promotion.

I believe the TVC demonstrates safe practices in relation to the activities shown including where machinery is operated – care was taken to ensure that the talent were wearing appropriate foot wear and gloves where required. I also believe that the limited scenes where alcohol is consumed only shows consumption that is moderate and appropriate. In addition to compliance with section 2.6 I also believe the TVC is compliant with the AANA Code of Ethics in its entirety. In support of this there is no material that discriminates or vilifies and there is nothing of a sexual nature shown and nor is any violence depicted. All language is mild and appropriate.

The CUB marketing team takes its commitments to responsible marketing very seriously. Not only do we have internal standards and processes that must be met but we also consider both the AANA Code of Ethics and the ABAC when we are developing our marketing collateral. In addition this TVC was also independently prevetted in order to ensure its compliance with the ABAC. The AAPS number is FOS4925.

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 concerns that the advertisement depicts drinking alcohol while operating machinery which is unsafe and against prevailing community standards on health and safety.

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 various scenes featuring men watching cricket on TV, barbequing, fixing a tap, painting a wall, mowing the lawn and so on.

The Board noted that the two scenarios where a man is shown with a bottle of Victoria Bitter are when he is watching the cricket on TV and when he is using the BBQ. The Board noted that in all other scenes where the man is working he is seen with the cricket scoreboard, but there is no alcohol featured.

The Board considered that the advertisement does not depict or encourage the consumption of alcohol whilst operating machinery. The Board noted it had previously dismissed an advertisement which depicted alcohol and a boat where it noted that whilst the advertisement did feature alcohol it did not suggest that a boat should be operated when you are drinking (0446/10). Consistent with this previous determination the Board considered that the inclusion of alcohol in an advertisement does not of itself amount to an encouragement to consume alcohol whilst undertaking activities also portrayed in the advertisement.

The Board considered that in this instance the advertisement does not depict material contrary to Prevailing Community Standards on health and safety.

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.