



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0025/13</b>
<b>2</b>	<b>Advertiser</b>	<b>Fosters Australia, Asia &amp; Pacific</b>
<b>3</b>	<b>Product</b>	<b>Alcohol</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>Billboard</b>
<b>5</b>	<b>Date of Determination</b>	<b>30/01/2013</b>
<b>6</b>	<b>DETERMINATION</b>	<b>Dismissed</b>

### ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

### DESCRIPTION OF THE ADVERTISEMENT

“Chux” shows a 25 year old wearing a handmade snorkel covered in chux up to his chin against a white background. There is a Carlton Dry bottle shot and the current campaign tagline: “Hello Beer”. There is also an alcohol responsibility message that states: “For people over the age of 18 only” with an 18 plus symbol.

### THE COMPLAINT

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

*While not offended per se -I cannot see how these sort of behaviours portrayed in these advertisements could be done by anyone having just a few casual beers with some friends. i.e. you would have to be pretty drunk to bury a mate in cleaning cloths and make a beard of clothes pegs.*

*Now I am sure in the fine print they will say how Carlton urges you to drink responsibly, but that seems counter intuitive to the message the advert portrays.*

*I believe this contravenes the ABAC Scheme stating advertising must not encourage excessive consumption or abuse of alcohol. If the advert was about responsible consumption, they would show some mates having a laugh, not the side effect of an alcohol fuelled feat of idiocy.*

### 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 correspondence in relation to two (2) complaints from one complainant that relate to Carlton Dry Outdoor titled “Chux” and “Peg beard”. The complaint reference numbers are: 0024/13 and 0025/13.*

*This outdoor campaign features billboards in Melbourne, Sydney, Brisbane, Perth and Adelaide in both metropolitan and regional areas. The billboards have been rolled out progressively since December 2012. “Chux” shows a man wearing a handmade snorkel covered in chux up to his chin against a white background. There is a Carlton Dry bottle shot and the current campaign tagline: “Hello Beer”. There is also an alcohol responsibility message that states: “For people over the age of 18 only” with an 18 plus symbol. “Peg beard” shows a man with a long beard made out of wooden pegs and also includes the same elements (bottle image etc) listed for “Chux”.*

*The billboards were designed to be attention grabbing, quirky and appeal to the target market’s sense of humour (young adult males). Whilst we respect the complainant’s viewpoint, we don’t believe either outdoor billboard shows alcohol fuelled behaviour or ‘activities’ (i.e. making a long beard out of wooden pegs) commonly associated with excessive alcohol consumption. We think it is extreme to state that these images represent “the side effect of an alcohol fuelled feat of idiocy”. Fancy dress/playing a character is actually something people are increasingly doing as part of mainstream culture, as witnessed at sporting events, corporate functions and in support of charities. The motivation is driven by a desire to enjoy themselves and let their hair down, rather than alcohol.*

*Some may argue that the billboards show the ‘acts’ of people with too much time on their hands or they simply may not get the point. For this reason, the billboards won’t be to everyone’s personal taste. At the very least though the billboards could only be described as a bit of fun, somewhat random but importantly depicting only harmless activities. The billboard images are also highly stylised – they don’t look like shots drunken consumers have pulled together and nor were they intended to (they were professionally shot). Furthermore there is no sense that the men are intoxicated and neither is there any alcohol consumption depicted. It’s worth noting that only one complainant has flagged a concern regarding this very high profile national campaign.*

*For the reasons outlined above, we believe the Carlton Dry outdoor billboards comply with section 2.6 of the AANA Code of Ethics and uphold community expectations around the portrayal of alcohol and alcohol consumption. The billboards were also prevetted via the independent alcohol advertising prevetting service against the ABAC.*

*We also believe that the billboards are compliant with the AANA Code of Ethics in its entirety. In support of this, there is a complete absence of violence, discrimination, nudity, obscene language and any sexual themes.*

*The CUB team take their commitment to responsible marketing of our products seriously and if we can provide further information or assistance, please let me know.*

## **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 excessive drinking to promote silly or stupid behavior.

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

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 the advertisement features a man buried in chux cloths up to his head, wearing a snorkel made from paper roll inners and a pair of sunglasses. The text reads "Hello Beer" and an image of a bottle of Carlton Dry.

The Board noted that the image is part of a series of images with depictions that are clearly intended to be humorous and are fanciful depictions.

The Board noted that the billboard image is not showing groups of people forcibly burying the man although it is likely he ended up in that situation with the assistance of friends.

The Board considered that most reasonable members of the community would accept that burying a mate in a pile of chux cloths is behavior that would be part of a joke or harmless fun and did not necessarily require excessive alcohol in order to come up with the idea.

The Board noted that there is no evidence of alcohol consumption at all in the advertisement and the Board felt that the advertisement does not promote or encourage excessive alcohol consumption in order to carry out silly or 'stupid' behavior.

Based on the above, 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.