



**ADVERTISING
STANDARDS
BUREAU**

Level 2, 97 Northbourne Avenue, Turner ACT 2612
Ph (02) 6173 1500 | Fax (02) 6262 9833
www.adstandards.com.au

ACN 084 452 666

Case Report

1	Case Number	0043/14
2	Advertiser	Jim Beam Brands Australia Pty Ltd
3	Product	Alcohol
4	Type of Advertisement / media	Pay TV
5	Date of Determination	12/02/2014
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The advertisement in question, 'Barrel to Bondi' firstly depicts an actor walking through the Jim Beam distillery observing distillery activities described as "special projects", and then transforms into a helicopter scene where giant Jim Beam cans are dropped into a pool depicted as an esky.

THE COMPLAINT

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

I am concerned because like cigarettes the message is that it's good to drink. My son who is underage saw the advert and said that he wants to drink alcohol to have fun.

The adverts are disgusting because it glorifies drinking of alcohol.

All such adverts should be banned like it was done with smoking.

THE ADVERTISER'S RESPONSE

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

Introduction

This submission by Beam Global Australia is in response to the complaints provided to the Advertising Standard Bureau. The complaints surround the advertising campaign for Jim Beam entitled 'Barrel to Bondi'

The products are produced by Beam Global Australia Pty Ltd.

The Quasi-Regulatory System

Beam Global Australia vigilantly follows all Alcohol advertising in Australia laws and codes of practice in particular the AANA, ABAC, CTICP & the OMACE codes.

Pre-vetting Clearance

Beam Global obtained pre-vetting approval for this campaign 'Barrel to Bondi' as part of the AAPS pre-vetting process and was approved on 18th December 2013 with AAPS approval number 12830 (please find attached).

Approval was secured for this advertisement after numerous changes were made as part of this rigorous process to ensure no breaches to the code could be raised.

The Advertisement

The advertisement in question, 'Barrel to Bondi' firstly depicts an actor walking through the Jim Beam distillery observing distillery activities described as "special projects", and then transforms into a helicopter scene where giant Jim Beam cans are dropped into a pool depicted as an esky.

This advertisement shows no consumption of alcohol;

The Giant cans depicted in the advertisement held no actual alcohol

A message was placed throughout 50% of the advertisement – "Giant cans as awesome as they are, contain no actual alcohol".

This advertisement shows adults over 25 years of age and are clearly depicted as adults;

This advertisement does not show or encourage any drinking; and in no manner does it encourage under-age drinking;

Beam Global Australia Response

Beam Australia appreciates the opportunity to comment to the complaint for the consideration of the Panel as part of this process. Below are the Beam Global Australia responses to the complaint.

The advertisement was pre-vetted by AAPs before airing and received approval – Approval number 12830.

The advertisement presents a mature and responsible approach to alcohol, as a significant part of the advertisement is featured within the actual Jim Beam distillery in Kentucky, USA, which showcases the history and heritage of the Jim Beam brand. In addition no alcohol is shown to be consumed in any part of the advertisement.

In the advertisement there is nothing that would suggest irresponsible consumption or the

glorification of drinking alcohol as no alcohol is shown to be consumed throughout the advertisement, and to avoid misrepresentation or confusion, the advertisement features a message highlighting this – “Giant cans as awesome as they are, contain no actual alcohol”.

The advertisement depicts a fictional geographical change of scene from the Jim Beam

Distillery Kentucky, USA, to Bondi Beach, Sydney, Australia, in which a change of music genre and addition of a crowd of people is used to help depict this in the advertisement. Within this change of scene no alcohol is shown to be consumed, and the message included to confirm that the giant cans contain no actual alcohol.

In acknowledgement of the product shots depicted within the advertisement, our media placement is very strict to ensure we are only targeting the adult male demographic. If children were to see this advertisement it would only be by watching programs designed for the 25+ age demographic under adult supervision.

Although Pay TV has no restrictions on when commercials can be shown, there is a clause with the ASTRA code of practice of PAY TV that acknowledges the unique relationship between a Licensee and its audience.

As an advertiser of Alcoholic Beverages we always adhere to this code as part of our analysis of the intellectual and emotional maturity of the intended audiences of the programs when scheduling all advertisements.

We have operated within the ASTRA codes of practice and have placed all advertising responsibly to minimise reach of under 18's but primarily because our target audience is adults 25+. If a child did view this advertisement it should only be whilst under adult supervision.

Conclusion

The pre-vetting approval process enabled us to work closely with ABAC to give us the guidance to ensure the consistency of the advertisement aligns to the prescribed standards of good marketing practice and the ABAC code.

Whilst approval through the pre-vetting process does not guarantee preclusion from alternative determinations as a result of consumer complaint, it did ensure Beam conformed to the code "in terms of its probable impact upon a reasonable person within the class of persons to whom the advertisement is directed and other persons to whom the advertisement may be communicated, and taking its content as a whole".

In terms of probable impact it is quite clear to the 'reasonable person', that fictional nature of the advertisement involving a quick change of geography from the USA to Australia and giant cans flown by helicopter, would not specifically or overly glorify the consumption of alcohol as per the complaint. The giant cans contained no alcohol (as communicated through the advertisement), and that alcohol is not shown to be consumed throughout the advertisement.

We are confident that Jim Beam is marketed appropriately and intend to continue responsibly marketing Jim Beam products to consumers above the legal drinking age.

Thank you again for this opportunity to respond and we look forward to your confirmation

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 glorifies drinking alcohol which is against prevailing community standards.

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 depicts giant cans of Jim Beam being transported from America to Bondi Beach by helicopter and then placed in a swimming pool.

The Board noted that alcohol is a product which is legally allowed to be advertised.

The Board noted that in this instance whilst some of the actors in the advertisement are shown holding cans of Jim Beam they are not shown drinking. The Board noted that the text on screen makes it clear that the giant cans being carried by the helicopter and deposited in the swimming pool do not contain any alcohol and considered that the advertisement does not depict or encourage the excess consumption of alcohol.

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

