



Ad Standards Community Panel
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AdStandards.com.au

Advertising Standards Bureau Limited
ACN 084 452 666

Case Report

1	Case Number	0064/18
2	Advertiser	Coca-Cola South Pacific
3	Product	Food and Beverages
4	Type of Advertisement / media	Cinema
5	Date of Determination	21/02/2018
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Unsafe behaviour

DESCRIPTION OF THE ADVERTISEMENT

The television commercial begins with a rusty four wheel drive vehicle travelling along a winding dirt road with a young couple in the driver and passenger seats. The couple get out of the vehicle and climb through a jungle like terrain until they get to a cliff-top and look down to see a pontoon surrounded by crystal blue water. The couple look at each other and jump off the cliff into the water below and swim over to the pontoon.

THE COMPLAINT

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

I believe this contravenes the AANA code of ethics (Health and Safety, section 2.6) because it depicts an unsafe practice namely jumping into water from considerable height without knowing whether it is safe to do so. I believe the age group depicted are in fact the age group most likely to undertake this unsafe activity which can result in death or serious injury.



THE ADVERTISER'S RESPONSE

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

A description of the Advertisement

The Coca-Cola Summer advertisement referenced in the complaint begins with a rusty four wheel drive vehicle travelling along a winding dirt road with a young couple in the driver and passenger seats. The couple get out of the vehicle and climb through a jungle like terrain until they get to a cliff-top and look down to see a luxurious pontoon surrounded by crystal blue water. The couple then spot two Coca-Cola beverages which appear from an ice bucket. The couple look at each other and jump off the cliff into the water below and swim over to the pontoon where they enjoy a refreshing Coca-Cola beverage. The TVC includes the words "Here's to an Epic Summer" with our Coca-Cola trade mark and "Taste the Feeling".

Details of the media in which the advertisement appeared

The complainant viewed the advertisement in Cinema in Frankston, Victoria on 15 January 2018. The advertisement was viewed prior to the showing of the movie "Three Billboards Outside the Ebbing, Missouri" rated MA15+. CCSP's media buyer, Universal McCann, buys advertising in accordance with The Coca-Cola Company's Responsible Marketing Policy, a copy of which is attached. In accordance with the Responsible Marketing Policy, Universal McCann did not place the Advertisement in any television programs where the audience is predominantly children. As set out in the Responsible Marketing Policy, the Company defines media that directly targets children as media in which 35% or more of the audience is composed of children under 12.

Comprehensive comments in relation to the complaints

The complainant has raised potential issues under section 2.6 of the Australian Association of National Advertisers Code of Ethics ("Code of Ethics").

Australian Association of National Advertisers Code of Ethics ("Code of Ethics")

The complainant has raised potential issues under section 2.6 of the Australian Association of National Advertisers Code of Ethics which provides that:

Advertising or Marketing Communications shall not depict material contrary to Prevailing Community Standards on health and safety.

The complainant has specifically expressed concern that the advertisement "depicts an



unsafe practice namely jumping into water from considerable height without knowing whether it is safe to do so.” Further, the complainant is concerned “the age group depicted are in fact the age group most likely to undertake this unsafe activity which can result in death or serious injury.”

We have carefully considered the advertisement against section 2.6 of the Code of Ethics and for the reasons provided below, we submit that the advertisement does not breach section 2.6 of the Code of Ethics:

1. The advertisement went through an external approval process with CAD classifying the advertisement with a W rating (General/Care in Placement), and it has been placed in accordance with this rating.

Our media buyer Universal McCann has ensured strict adherence to the Responsible Marketing to Children (RMTC) buying guidelines by ensuring:

- Movie selection to be targeted to persons over 12 years of age;*
- No children film to be included in the mix;*
- No advertising to appear in animation films; and*
- No films where the audience is predicted to be >35% under 12 years of age.*

2. We submit the TVC is clearly an advertisement for Coca-Cola, with an over-the-top luxurious setting making it apparent that it is not a real life scenario. The cliff jump is a visual representation of a summer lived large and how Coke plays a role in refreshment, even in the most unusual or unexpected circumstances. The advertisement is ‘fantastical’ in the sense that the couple depicted are in a remote location, in a tropical jungle, they run out of drinks and the woman decides to take them to a floating pontoon, just a cliff jump away.

We note that the ASB has recently dismissed complaints akin to this TVC for Australian Insurance Holdings (see Case Number 0001/15). Here, “[t]he Board noted the exaggerated behaviour of Captain Risky and considered that the overall tone is humorous and fantastical” and as such was found that it was “unlikely to encourage copy-cat behaviour either from children or from adults.” Also in a complaint received in relation to Carlton and United Breweries the Board found that the “advertisement depicts a very stylized and unrealistic scenario” and that “most reasonable members of the community would recognise that this advertisement is presenting an unlikely scenario for the purpose of promoting their product” (see Case Number 0009/16).

3. Further, we note that there is significant community concern about entering a body of water without checking for dangers and assessing the risks of such activity. We note that the Board has previously considered cases where people were diving or jumping into bodies of water without a clear awareness of what is beneath (ref: 0355/12, 0379/14 and 0090/15). In all these cases, the Board determined that there was nothing in the advertisements to suggest that the area had not been assessed for risks



before entering the water, and the complaints in relation to these advertisements were all ultimately dismissed.

4. We submit that the placement of the advertisement in cinema, prior to the showing of an MA15+ movie is not likely to draw the attention of young “daredevils” and not likely to encourage copy-cat behaviour from children under 15 years of age. As per the Department of Communications and the Arts, “MA 15+ classified material contains strong content and is legally restricted to persons 15 years and over” and therefore no children under the age of 15 were allowed to view this movie.

5. Despite the clearly unrealistic situation and fantastical nature of the advertisement, we have ensured the inclusion of a clear disclaimer “Don’t try this without expert supervision” to discourage people from copying such behaviour.

6. Further, CCSP commissioned System1 Research to do a pre-evaluation of responses to the advertisement before it was aired in Australia. The purpose was to decipher the response of the advertisement among the target audience and to assess what emotions it would invoke when viewed. Here, it was found that 55% found it refreshing, interesting and enjoyable, 36% found it to be “just another add” and “nothing special” and only 9% had something negative to say such as “nothing to do with soft drink” and that the “jump was too fake.” We submit that by undertaking this survey, a high level of care and diligence was taken to ensure the advertisement would not depict any offensive material or material contrary to prevailing community standards.

CCSP acknowledges that in addition to the above, the ASB will review the advertising against the entirety of Section 2 of the Code.

In addition to the points noted above, we submit that the advertisement meets all other relevant standards of the Code of Ethics for the reason outlined below:

- 1. There is no sexualisation present in the advertisement;*
- 2. There is no imagery depicting unsafe use of the product;*
- 3. There are no images which are unduly frightening or distressing to children;*
- 4. The advertisement does not undermine parental authority;*
- 5. There is a qualifying statement appearing in the advertisement, being: “Don’t try this without expert supervision”, displayed clearly and is easily understandable by the target audience; and*
- 6. There is no reference, in any way, to alcohol.*

AANA Food and Beverages Marketing and Communications Code (the “Food & Beverages Code”)

The Food & Beverages Code contains a number of provisions in relation to truthful, honest advertising (2.1), not undermining the importance of healthy or active lifestyles



(2.2), making health claims (2.3) and advertising to children (3). We have considered each of the provisions of the Food & Beverages Code and it is CCSP's view that the Advertisement complies with all elements of the Food & Beverages Code.

Conclusion

As a global iconic brand, The Coca-Cola Company takes its obligations to do business with integrity and engage in ethical conduct very seriously. Our business is built on this trust and reputation.

It is CCSP's view that the Coca-Cola Summer advertisement complies with all elements of the Code of Ethics and Food & Beverages Code. CCSP takes its obligations in relation to responsible advertising very seriously. We consider that when assessed against the relevant Code provisions and the relevant audience, the advertisement does not breach the Code.

THE DETERMINATION

The Ad Standards Community Panel ("Panel") considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the "Code").

The Panel noted the complainant's concern that the advertisement depicts people jumping into water unsafely.

The Panel reviewed the advertisement and noted the advertiser's response.

The Panel 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 Panel noted the Cinema advertisement depicts two people walking through the jungle until they reach a cliff. In the water below there is a pontoon which is serving bottles of Coke. The couple jump into the water from the cliff to reach the drinks.

The Panel noted the complainant's concern that the advertisement depicts people jumping off a cliff in an unsafe manner and this could encourage people to copy the behaviour in the ad.

The Panel acknowledged that there is significant community concern about entering a body of water without checking the dangers and assessing the risks.

The Panel noted that it had previously considered the issue of people jumping off a cliff without checking the water depth in cases, 0355/12, 0379/14 and 0090/15. In each of these cases the Panel determined that there was nothing in the



advertisement to suggest that the area had not been assessed for risk before entering the water.

In the current advertisement the Panel considered there was nothing to suggest that the couple knew the location or had been to the bottom of the cliff to assess the risks and depth of the water.

A minority of the Panel considered that the advertisement does show the couple engaging in an activity which was dangerous and likely to encourage people to dive from high areas. The minority considered that the depiction of the male doing a backflip off a cliff to be especially dangerous.

The minority of the Panel considered that the advertisement appeared to depict a realistic situation which would be easily imitated and did contain material contrary to prevailing community standards on health and safety.

The majority of the Panel considered that the advertisement was highly stylised like a movie, and considered that the opening text 'Coca-Cola presents' added to this effect.

The majority of the Panel considered the advertisement contained elements of fantasy including the clothing of the couple being immediately replaced by swimwear and the appearance of the pontoon in the middle of a jungle.

The majority of the Panel considered that this advertisement is highly stylised and contains elements of fantasy and is unlikely to be seen to condone or encourage jumping into water in an unsafe manner.

The Panel considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety. The Panel 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 Panel dismissed the complaint.

