



## Case Report

<b>1</b>	<b>Case Number</b>	<b>0100/11</b>
<b>2</b>	<b>Advertiser</b>	<b>Lion Nathan Aust Pty Ltd</b>
<b>3</b>	<b>Product</b>	<b>Alcohol</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV</b>
<b>5</b>	<b>Date of Determination</b>	<b>13/04/2011</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

Various people are shown preparing for a concert – we see them getting dressed, setting up equipment, buying Budweiser and so on. In one scene a lighted match is thrown on some barbeque coals which have just been doused in lighter fluid.

The final text on screen reads, “Great times are waiting. Grab some Buds.”

### THE COMPLAINT

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

*I wish to make a complaint about the Budweiser beer ad being run on prime time each night. I feel that this is very bad practice to show on nightly TV as the resulting explosion (which is cut out of the ad) would cause serious burns and should not be displayed as a way to light a barbeque in this land of the barbeque. And seeing how fires are started so easily and cause so much damage etc. This ad is on primetime TV for all to see. This is very bad and not up to 7's image as a Responsible Company. Please cut the piece out of the ad or stop the ad.*

*A copy of this letter is being forwarded to the ACMA as I believe this may also show an illegal act.*

*Channel Seven is a good station but this ad is just plain wrong.*

## **THE ADVERTISER'S RESPONSE**

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

*The TVC in no way depicts content that is contrary to community standards on health and safety.*

*The BBQ is very clearly situated in a person's backyard, next to a pool. There is no suggestion the BBQ is in a dangerous area, being used recklessly, or unsupervised in an unsafe fashion. The lighting of the BBQ is only featured briefly and is clearly shot at eye level with the BBQ itself (i.e. not from above, or from the person's perspective), which is the only reason the flames are as dominant in the shot as they are.*

*Lastly, no explosion is cut out of the ad, as the complainant suggests and we are unsure how this is assumed with no indication or suggestion of it in the TVC. The lighting of the BBQ is clearly shown in two stages – preparing the BBQ for lighting and the actual lighting. There is no other suggestion this would result in an explosion in a further scene.*

## **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 depicts a BBQ being lit using lighter fluid and that this is unsafe.

The Board reviewed 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 considered that the depiction of the BBQ being lit was a brief scene within the advertisement. The Board considered that the depiction of the BBQ lighting appeared to be in control and that the flames did not appear excessive, out of control or likely to be about to explode. The Board agreed that lighting a BBQ with flammable liquids would not be the recommended method but that in the context of this particular advertisement it did not appear to be done in an unsafe manner. The Board considered that as the BBQ lighting was such a brief part of the advertisement it was unlikely to be interpreted as an encouragement to light a fire or BBQ in that manner.

The Board also noted two brief scenes in the advertisement in which a man is changing in the backseat of a moving taxi. The Board noted that the man appears not to be wearing a seatbelt properly. The Board considered that the very fleeting nature of these images in the context of

the entire advertisement minimised the depiction and that it was not likely to be noticed by most viewers and would not be taken as condoning not wearing seatbelts.

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.