



Case Report

1	Case Number	0138/12
2	Advertiser	Fosters Australia, Asia & Pacific
3	Product	Alcohol
4	Type of Advertisement / media	Billboard
5	Date of Determination	11/04/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

The simple billboard includes an image of a glass of Carlton Draught beer on the right of frame, with the Carlton Draught logo on the glass with some accompanying script/words to the left of the frame.

It also includes the Enjoy Responsibly logo in bottom left hand side of the billboard.

THE COMPLAINT

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

The ad states words to the effect: Carlton Draught - the only tap MEN touch when they go to the pub."

This advertising message:

- 1. Implies that men real or otherwise do not wash their hands when they are at the pub or that it is unmanly to do so;*
- 2. Encourages behaviour (namely not washing hands after urinating or defecating) that is contrary to public health messages about hygiene and disease prevention and control and on which various government agencies spend millions of dollars promoting annually;*
- 3. For the foregoing reasons is against the public interest to an extent that far outweighs the rights or need of the advertiser to promote its product in such a counter-productive manner i.e. its removal would not prevent the advertiser from conveying the benefits characteristics*

and qualities of its product in a more responsible not least tasteful or imaginative manner e.g. "Caaarlton Draught - Say it like you mean it. [Tagline:] Carlton Draught - Australia's Triple A Beer"

THE ADVERTISER'S RESPONSE

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

Carlton United Brewers (CUB) has a strong track record for advertising compliance and we take our obligations in relation to responsible marketing seriously. We believe that the Carlton Draught advertisement (The Advertisement) in question does not breach any section of the AANA Code of Ethics.

The billboard advertisement was pre-vetted via the Alcohol Advertising Pre-vetting Scheme (application number 609/11 and approval number #11201. The billboard is a picture of a glass of Carlton Draught beer, with the accompanying words:

"The Carlton Draught Tap.

The only tap men use at the pub.

Carlton Draught. Made from Beer."

The wording on the billboard is designed to highlight the draught beer (or tap beer) credentials of Carlton Draught. As the #1 draught beer on the market, the ad is aimed at driving people back to the pub.

RE section 2.6 of the AANA Code of Ethics.

The wording of section 2.6 of the Code provides for communication to be consistent with prevailing community standards on health and safety. The complainant raises issues with the advertisement in regards to the messages being contrary to public health messages about hygiene and disease prevention and control.

The campaign is aligned to the character of Carlton Draught which has a history of using humor in the delivery of its branded messages. The billboard is a light hearted play on the common misconception that men don't wash their hands. It is not aimed at serving staff, nor does it encourage consumers not to wash their hands. We believe it is not contrary to public health messages about hygiene and disease prevention and control and is compliant with section 2.6 of the Code.

We respect the complainants' views; however we feel that they are a subjective extrapolation of the content and not representative of the broad community view.

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 implies and condones the practice of not washing your hands after using the toilet.

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 noted that the advertisement features the text, "Carlton Tap Draught. The only tap men use at the pub."

The Board considered that the advertisement does suggest that men do not wash their hands after using the toilet when at the pub.

The Board noted that the complainant had provided extensive information regarding the health and safety implications of not washing hands after using the toilet. The Board noted the important public health message around hand washing but considered that the advertisement is not condoning or encouraging poor hygiene. The Board considered that the advertisement is simply a humorous comment on a stereotypical or real male practice and considered that whilst there is extensive community awareness campaigns regarding this issue in the Board's view this advertisement does not contradict these campaigns in any way.

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.