



Case Report

1	Case Number	0206/12
2	Advertiser	Red Bull Aust Pty Ltd
3	Product	Food and Beverages
4	Type of Advertisement / media	TV
5	Date of Determination	13/06/2012
6	DETERMINATION	Dismissed

ISSUES RAISED

2.3 - Violence Violence

DESCRIPTION OF THE ADVERTISEMENT

This advertisement depicts a game of professional cricket and shows a stalker entering the field, who is being pursued by police. The police seem unable to catch the stalker. The batsman is offered a can of Red Bull Energy Drink. He drinks the Red Bull and strikes the ball which makes contact with the stalker who is launched up into the air and into the crowd, where he lands on the lap of a woman who is knitting. The woman's hat is knocked onto the stalker's head before he immediately returns it to the woman.

THE COMPLAINT

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

*These ads seem to imply that murder of animals is fine or that by sticking someone's hat back on their head will guarantee you protection from the police.
I do not know if these ads are shown on television or if they are solely for the use of website advertisement.*

THE ADVERTISER'S RESPONSE

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

HAS THE CODE BEEN BREACHED?

No.

Red Bull Energy Drink television and online advertisements demonstrate the energising effects of Red Bull on body and mind in a spirited, fresh and cheeky way via light-hearted cartoons that are not designed to be taken literally.

As with most cartoons, the drawings and storylines have been developed over many years with the purpose of communicating a humorous, satirical story or message and not a true life scenario. For example, The Simpsons is an animated cartoon whereby the characters are created for their humour and yet not taken so literally.

The Cricket Fan Advertisement shows the cricket ball making contact with the stalker after the ball has been hit by the batsman. There is nothing to suggest that the batsman intended on hitting the stalker. Additionally, the effect of the ball hitting the stalker is that he flies up into the air, above the entire stadium which is completely unrealistic. Also, by the end of the advertisement, the stalker is smiling and unscathed from the incident. There is nothing to suggest in this advertisement that returning a hat will protect you from police.

For the reasons outlined in this response, we do not believe that the Advertisements breach Section 2.3 of the Code.

Red Bull Australia is a responsible advertiser that is committed to complying with all codes and applicable laws related to advertising. Red Bull will continue to ensure that its advertisements do not offend prevailing community standards.

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 male stalker being hit with a cricket ball and then evading the police by wearing a hat.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 of the Code states: “Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised”.

The Board noted this animated advertisement depicts a stalker running across a cricket pitch, chased by police, then being hit by a ball which in turn has been hit by a batsman who has just drunk a can of Red Bull.

The Board noted that the advertisement is animated and that when the ball hits the man he flies through the air and lands on a lady’s lap with a smile on his face. The Board considered

that the man's reaction indicates his relief at having escaped from the police and that he does not appear to be unhappy or in pain from being hit with a cricket ball.

The Board noted that the advertisement is a cartoon and considered that it presents an unrealistic depiction in that being hit with a cricket ball would not cause you to fly.

The Board determined that the advertisement did not breach section 2.3 of the Code.

The Board then 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 when the man lands on the female audience member's lap her hat bounces on to his head and he then replaces it on her head. The Board noted the complainant's concerns that by wearing the hat the man has protection from the police and considered that as the advertisement ends just after the man lands in the audience it is not possible to say whether he is caught by the police or not.

The Board considered that most members of the community would not interpret the advertisement as suggesting that wearing a hat will protect you from the police and considered that the advertisement did not depict material contrary to prevailing community standards on health and safety.

Based on the above, 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.