



Case Report

1	Case Number	0251/10
2	Advertiser	Lion Nathan Aust Pty Ltd
3	Product	Alcohol
4	Type of Advertisement / media	TV
5	Date of Determination	22/06/2010
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

In the TVC, part of the 'Beer Economy' campaign, a situation is explored, whereby a man is thanking his neighbours in advance of a party he is organising. As the TVC progresses, the 'party' is progressively exaggerated - first by way of the amount of bands playing, then by calling it a festival, then by setting up the merchandise tent at the neighbours' house and so on. The significance of the 'thank you' beer increases in line with these exaggerations.

THE COMPLAINT

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

This ad promotes binge drinking to young people watching the football game. It gave the impression that the neighbours could be bribed by gargantuan amounts of beer. This would ensure they would not complain about the party next door. It implies that copious amounts of alcohol will solve any problem in the neighbourhood!!!!!!!!!!!! I have never complained about an ad before but I am also going to contact Tooheys I am so outraged. I hear that Tooheys ad with the stage being thrown through the air was banned - maybe they should rethink their advertising strategy.

THE ADVERTISER'S RESPONSE

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

The advertisement questioned is a Tooheys NEW TVC, which was launched as part of the broader Tooheys NEW brand's new 'Beer Economy' campaign. As an overall introduction, I would first like to address the concept of the 'Beer Economy'. The 'Beer Economy' campaign includes a series of advertisements, which are all based on the same insight into the average, Australian beer drinker. That insight being, that for many years mates have paid each other in beer, instead of money, to say thank you for small favours. Whether it be helping a friend move house, or fix the car, Australians like to say thank you with a beer.

Many people can relate to this simple insight and have used beer in this fashion at some stage of their lives. As such, the aim of the Tooheys NEW campaign is to have fun with these experiences, and perpetuate this endearing quirk of Aussie culture.

The complainant address Section 2, Clause 2.6 of the AANA Advertiser Code of Ethics in their letter. The Tooheys NEW TVC is in no way in breach of this Section and does not depict material contrary to prevailing community standards on health and safety.

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The aim of course is to bring the concept of the 'Beer Economy' to life in a humorous and embellished fashion. The absurdity of the situation is intentional, and it is not expected that a reasonable person would assume this a common occurrence, but rather comic hyperbole.

At NO STAGE during the advertisement is alcohol consumed. Additionally, when the beer is tallied it is shown in cases. This format was chosen intentionally, as cases are widely viewed as packaging formats to be stored over a period of time and shared amongst many. It is not expected a reasonable person would believe that the two neighbours will or should drink all of the alcohol in one occasion, or indeed by themselves, just as we don't expect them to do the same if they buy their cases from a liquor store.

Finally, as per the 2010 Commercial Television Industry Code of Practice the TVC was shown post 8.30pm and is clearly targeted at an adult audience. Given the positive feedback we have received to date and absence of similar interpretations, we are confident that the TVC is in line with 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 concerns that the advertisement encourages inappropriate and excessive consumption of alcohol, particularly by young people, and suggests that people can be bribed by large amounts of beer.

The Board viewed the advertisement and noted the advertiser’s response that the advertisement was broadcast post 8.30pm and is clearly targeted at an adult audience.

The Board noted that the complainant's concerns are primarily considered by the Alcohol Beverages Advertising Committee and that the Board's only role is to determine whether the

advertisement depicts material that contravenes prevailing community standards on health and safety in contravention of section 2.6 of the Code.

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 is part of a broader ‘beer economy’ campaign which is based on the premise that mates pay each other in beer, instead of money, as a means of thanking them for doing favours and helping out in various ways with the amount of beer calculated in line with the significance of the favour or help provided. The Board noted that the advertisement, in this instance, depicts a man thanking his neighbours in advance of a party he is organising and that there is no depiction of any consumption of alcohol.

The Board considered that the advertisement humorously depicts situations in which friends and neighbours do favours and that it depicts a common Australian way of thanking a friend - providing beer. The Board considered that the advertisement does not suggest that alcohol should be used to cope with an unhappy or stressful situation and that the neighbour’s ‘suffering’ is to be lessened by the beers donated. The Board considered that the advertisement depicts a common Australian means of thanking a friend or neighbour and does so in an exaggerated manner that is clearly intended to be humorous.

The Board considered that most members of the community could relate to the ‘beer economy’ premise and clearly understand that the advertisement does not encourage excessive alcohol consumption or suggest that people should turn to alcohol as a means of coping with unhappy situations. 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.