



Case Report

1	Case Number	0362/15
2	Advertiser	Coles
3	Product	Alcohol
4	Type of Advertisement / media	Billboard
5	Date of Determination	23/09/2015
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Within prevailing Community Standards

DESCRIPTION OF THE ADVERTISEMENT

External chalkboard displayed outside Liquorland Trinity Beach store with the message "Beer...because no good story started with eating a salad".

THE COMPLAINT

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

I believe this slogan insights the consumption of alcohol, fuelling alcohol related incidents and activities in the community.

THE ADVERTISER'S RESPONSE

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

I refer to your letter of 1 September 2015 advising Liquorland (Australia) Pty Ltd (Coles Liquor) of a complaint received by the Advertising Standards Bureau (ASB) in relation to a billboard displayed at the Trinity Beach Liquorland store in Trinity Beach Queensland (complaint reference number 0362/15). Specifically the ASB is concerned that the complaint raises issues under section 2.6 of the AANA Advertiser Code of Ethics.

In relation to your specific requests, Coles Liquor provides the following documents and

information:

Issues arising under Section 2 of the Advertiser Code of Ethics

You have requested that our response addresses all parts of Section 2 of the AANA Code of Ethics.

Coles Liquor submits that the Advertisement complies with each of the principles set out in subsections 2.1 to 2.6 of the AANA Code of Ethics. A response on subsection 2.6 of the AANA Code of Ethics is set out below. Response to the Complaint

You have identified Section 2.6 of the AANA Advertiser Code of Ethics as the relevant section. This requires that an advertisement shall not depict material contrary to Prevailing Community Standards on health and safety.

Specifically, Coles Liquor understands that the complainant is concerned that the Advertisement incites “consumption of alcohol, fuelling alcohol related incidents and activities in the community”.

We support the responsible service, sale and promotion of alcohol and do not believe the Advertisement encourages misuse of alcohol or promotes alcohol related incidents in the community.

The intention of the advertisement was to light heartedly reflect positive social interactions between friends. Although the Advertisement does reference alcohol, it:

- 1. does not show any images of alcohol consumption;*
- 2. does not depict or encourage excessive use of alcohol; and*
- 3. there are no cues within the Advertisement that would suggest or encourage irresponsible or offensive behaviours within consumers or within the wider community in connection with alcohol.*

Coles Liquor does not believe that there is anything in the Advertisement which could reasonably be said to encourage a person to consume alcohol in an irresponsible or excessive manner, or to encourage offensive and irresponsible acts within the community. Accordingly, Coles Liquor submits that the Advertisement does not depict any material which is contrary to any prevailing community standards on health and safety and is not in breach of the s 2.6 of AANA Advertiser Code of Ethics or any other section of the Code.

Notwithstanding this, the Advertisement was erased from the chalkboard immediately upon receipt of the complaint from the ASB.

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 is promoting alcohol consumption which is against prevailing community standards.

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

The Board 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 Board noted that the advertisement is featured on a chalk board outside of a Liquorland store in Trinity Beach in North Queensland. The text reads “BEER – because no good story ever started with eating a salad.”

The Board 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 Board noted the complainant’s concerns regarding encouraging alcohol consumption that then fuels alcohol related incidents in the community.

The Board acknowledged that some members of the community would prefer that alcohol products and services not be advertised at all but considered that as alcohol products are legally allowed to be advertised, the Board can only consider the content of the specific advertisement against the provisions of the Code, not the fact that the product itself is being advertised in this manner.

The Board noted that whilst the advertisement does specifically mention an alcohol product (ie: Beer) there is no depiction of beer or of people consuming any alcohol. The Board noted that the text is intended to be humorous and that there is nothing that is suggestive of excessive alcohol consumption.

The Board noted the complainant’s concern that the consumption of alcohol fuels alcohol related incidents in the community. The Board noted that there are genuine community concerns relating to alcohol fuelled violence but considered that there is nothing in the advertisement that is encouraging or condoning that type of behaviour.

The Board considered that the advertisement does not encourage excessive or unsafe levels of alcohol consumption and does not depict material contrary to Prevailing Community Standards on the safe consumption of alcohol.

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.