



# Case Report

<b>1</b>	<b>Case Number</b>	<b>0367/15</b>
<b>2</b>	<b>Advertiser</b>	<b>Schweppes Australia Pty Ltd</b>
<b>3</b>	<b>Product</b>	<b>Food and Beverages</b>
<b>4</b>	<b>Type of Advertisement / media</b>	<b>TV - Free to air</b>
<b>5</b>	<b>Date of Determination</b>	<b>23/09/2015</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

The advertisement features a group of children sitting in a backyard listening to their friend talk about the greatness of childhood and how their current days will soon be remembered as “some of the best days of their lives”. The final scene shows the children lifting their glasses. The tagline states “there is a lot to celebrate when you’re a kid – like new flavours in store now” and an image of two new Cottee’s flavours, watermelon and strawberry bliss.

## THE COMPLAINT

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

*This situation where children are imitating adults at a party drinking alcohol. It seems inappropriate. This insidious, gradual normalising of alcohol consumption is sending out the wrong message.*

## THE ADVERTISER’S RESPONSE

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

*We refer to your letter of 2 September 2015, concerning a complaint received by ASB in relation to a Cottee's television advertisement (Advertisement) produced by Schweppes Australia Pty Ltd. We note the complainant's concern, however the Advertisement is intended to be light hearted and show children celebrating their limited days as children. We do not condone or promote any kind of irresponsible drinking behaviour, especially anything that endangers the welfare of children.*

*Alleged link to alcohol*

*The complaint suggests that the "children [raise] glasses in a "cheers" in the way adults would when drinking alcohol" and depicts "children imitating alcohol consumption". The complainant is concerned that the "children are imitating adults at a party drinking alcohol".*

*We believe that Advertisement is within the AANA Advertiser Code of Ethics guidelines, the AANA Code for Advertising & Marketing Communication to Children and the AANA Food and Beverages Marketing and Communications Code for the following reasons:*

- The Oxford Dictionary defines the word "cheers" as "an informal expressing of good wishing before drinking". The definition makes no reference to alcoholic drinks.*

*In Australia, the act of raising a glass is synonymous with general celebration and sharing, regardless a person's choice of drink. That is, a person is not prevented from participating in a "cheers" moment because he/she does not have an alcoholic drink.*

- As an iconic heritage brand for Australians, delivering great tasting cordial since 1927, Cottee's is synonymous with every day celebrations for Australian families. Our Advertisement tries to remind Australian parents of their own childhood moments with Cottee's cordial.*

- As the Advertisement shows, we encourage the celebration of iconic childhood moments with Cottee's cordial – including sweaty adventures, after school play dates and backyard relaxing.*

- The Advertisement is intended to be light hearted and show children celebrating their limited days as children before they take on the more serious job of being adults. The theme of celebration is reinforced by what the children say when they raise their glasses – "to the best days of our lives" and the Advertisement's tagline "there is a lot to celebrate when*

*you're a kid".*

*· There is nothing to suggest that the children are, or are trying to imitate adults at a party drinking alcohol. No alcohol or references to alcohol are shown at any time. The children are shown in a common backyard and not at a party or other special occasion.*

*We respectfully suggest that interpreting the simple act of raising a glass as being a gesture exclusively for alcoholic drinks is an extremely narrow interpretation and incorrect given the context of the Advertisement.*

#### *General information*

*· The Advertisement is directed towards Australian parents not at children. Research tells us that parents are the main grocery buyers for a household so our Cottee's advertisements are always targeted toward them. In this case, we tried to appeal to parents' sense of nostalgia, encouraging them to:*

- 1. think back to their own fond memories with Cottee's cordial; and*
- 2. purchase Cottee's cordial so their children can have similar experiences.*

*· From the listed show times, it is clear that the Advertisement was predominantly aired during news and current affairs programs and adult shows. This is consistent with our aim to reach Australian parents and not children.*

*If you have any questions or require any further information, please do not hesitate to contact me. Otherwise we look forward to hearing positive news from the Board.*

## **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 complainants concern that the advertisement normalises alcohol consumption and sends the wrong message to children.

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 the advertisement features a group of children sitting in a backyard listening to their friend talk about the greatness of childhood and how their current days will soon be remembered as “some of the best days of their lives”. The final scene shows the children lifting their glasses. The tagline states “there is a lot to celebrate when you’re a kid – like new flavours in store now” and an image of two new Cottee’s flavours, watermelon and strawberry bliss.

The Board noted the Macquarie Dictionary definition of Cheers as the colloquial meaning

a. to your health!

b. goodbye or

c. thank you

The Board noted that most member of the community recognise and understand the gesture of raising a glass and shouting cheers as a token of approval and agreement with something or someone. The Board noted that in this case the scenario of the children sitting around together having a drink and listening to one of their peers speak is intended to appear adult like in nature but it is very clear that the children have glasses of cordial and that the topic that the boy is speaking about is not inappropriate or of adult tone.

The Board noted that the gesture of raising a glass and saying cheers is associated with parties and celebrations and does not necessarily mean that the beverage consumed in such a tradition has to be alcohol.

The Board considered that most members of the community would agree that it is equally appropriate and acceptable to express ‘cheers’ with a non-alcoholic beverage.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety relating to alcohol consumption particularly by children 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.

