



**ADVERTISING
STANDARDS
BUREAU**

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Case Report

1	Case Number	0417/13
2	Advertiser	Schweppes Australia Pty Ltd
3	Product	Food and Beverages
4	Type of Advertisement / media	TV
5	Date of Determination	11/12/2013
6	DETERMINATION	Dismissed

ISSUES RAISED

2.6 - Health and Safety Depiction of smoking/drinking/gambling

DESCRIPTION OF THE ADVERTISEMENT

The Advertisement features young adults having a party which features a range of Schweppes soft drinks being consumed as well as Bacardi Rum being made into a drink with Schweppes Soda Water. The Advertisement also has scenes where young people are having fun with friends and consuming various Schweppes beverages while socialising and dancing, often without a drink in their hand.

THE COMPLAINT

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

Despite the product advertised not containing alcohol it relies on a depiction of drinking to excess as attractive and sociable in order to sell a product that is directly related to alcohol consumption. It is also marketed to young people during a time and program that is accessible to children.

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 22nd of November 2013, concerning a complaint received in relation to the Schweppes advertisement aired at 1:30pm on Channel 9 during the Ashes

Cricket Broadcast that also featured Bacardi, produced by Schweppes Australia Pty Limited (the Advertiser). Thank you for inviting us to provide feedback in relation to the complaint. The Advertisement features young adults having a party which features a range of Schweppes soft drinks being consumed as well as Bacardi Rum being made into a drink with Schweppes Soda Water. The Advertisement also has scenes where young people are having fun with friends and consuming various Schweppes beverages while socialising and dancing, often without a drink in their hand.

The complaint suggests the advertisement “relies on a depiction of drinking to excess as attractive and sociable in order to sell a product that is directly related to alcohol consumption”. The alcohol in question being Bacardi is limited to two short frames which illustrate someone making a drink rather than actual consumption. Other scenes in the advertisement do show young adults drinking bottled soft drinks as well as non-descript drinks in glasses that do not have alcohol related products within the shots. The focus of the advertisement is young people having fun, dancing, singing and the beverages served are part of the celebration and not the catalyst to drive the celebration. Furthermore, the Advertisement contains a “Drink Responsibly” message which runs for the last 3 seconds of the Advertisement in the end with the Schweppes branding.

Furthermore, the complaint suggests that the Advertisement is “also marketed to young people during a time and program that is accessible to children“. As part of the Commercial Television Industry Code of Practice, Schweppes strictly adheres to airing this advertisement based on programming after 8:30pm and in Live Sport. In the case of the complaint the Advertisement was aired in a Live Sporting Program being the Ashes Cricket Broadcast on Channel 9.

In addition we believe the advertisement is within the AANA code of ethics & ABAC guidelines because of the following.

1. The Advertisement does not in any way encourage the excessive consumption or abuse of alcohol in that:

a. where the advertisement features mixed drinks, each based on a standard serving size;

b. the Advertisement does not depict any binge drinking or other forms of excessive consumption of alcohol; and

c. the Advertisement presents a mature and responsible approach to alcohol, for example in each of the dancing scenes the actors are either dancing with nothing in their hands or dancing with a bottle of Schweppes product (which does not contain any alcohol).

2. The Advertisement does not encourage under-age drinking. There are no children depicted in the Advertisement. The actors cast are all over the Australian legal drinking age of 18. In fact, the Advertiser has an internal policy that any people depicted in Schweppes advertisements featuring alcohol of any kind must be adults aged 25 years or older. The Advertisement complies with this internal policy (i.e. all the actors are 25 or over).

3. The Advertisement does not promote offensive behaviour, or the excessive consumption, misuse or abuse of alcoholic beverages. The setting of the Advertisement is a relaxed and controlled environment. Further, the Advertisement does not suggest in any way that alcohol will help with personal, business or social success or that it has therapeutic benefits which are necessary to unwind.

Final submission

1. The Advertiser takes the responsible promotion of alcohol very seriously. Whilst not strictly bound by the Code or the Code of Practice, the Advertiser is aware of the requirements of these codes and does all it can to ensure that its advertisements and marketing campaigns are in compliance with them. The Advertiser also has internal “best practice” policies in place which incorporate the key requirements of the relevant codes and

alcohol marketing guides.

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 portrays excessive drinking as attractive and sociable and that the product is directly related to alcohol consumption.

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 party scene in someone’s home that shows various scenes of preparing for a party and mixing beverages with Bacardi and dancing and enjoying a good time among friends. The final shot reads “Schweppes” and “cocktailrevolution.com.au”

The Board noted that the product itself is not an alcoholic beverage. The Board noted that the main focus of the advertisement is the soda water and considered that the suggestion it can be mixed with alcohol does not of itself amount to a suggestion of drinking alcohol to excess. The Board noted that the various scenes within the advertisement do show the preparation for a party as well as a party underway. The Board noted that there are scenes of cocktails being mixed with one image of a bottle of Bacardi followed by the text “Orange Mojitos on the Menu.”

The Board noted the upbeat song being played in the background and the lyrics that refer to “dance all day and never stop.” The Board noted that the guests at the party are not seen acting in inappropriate ways nor is there any suggestion that they are drunk or drinking to excess.

The Board noted that the theme of the advertisement is to encourage people to party at home rather than heading out and believed that the images are indicative of young adults enjoying themselves at the home of a friend and is not encouraging or condoning excessive drinking.

The Board noted that it had previously considered an alcohol advertisement for Diageo (ref: 0108/13) which showed images of people partying and dancing and determined that: “there is no evidence of alcohol consumption at all in the advertisement and the Board felt that the advertisement does not promote or encourage excessive alcohol consumption in order to have fun or participate in the party culture featured in the images. The Board noted that dancing and hanging out with friends is an activity common among young people and such an activity is not directly associated with excess alcohol consumption.”

Consistent with the decision above, the Board considered that the depiction of young adults at a party and references to alcohol does not amount to a material that is encouraging or condoning excessive drinking and that it did not depict material that was contrary to

prevailing community standards on health and safety and 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.