



Case Report

1	Case Number	0477/16
2	Advertiser	Lion
3	Product	Alcohol
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	23/11/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement opens on a man sitting on a lounge in his back yard watching a yellow balloon with “The Sky’s the limit” written on it float past. We then see another man sitting on his lounge watching television, then three people watching karaoke in an almost empty bar. We then see each of them in turn press a red button that appears either in their lounge or in the table in front of them. Each person is catapulted in the air, with the first man flying in to an airplane then immediately flying back out again, this time attached to another person and a parachute. The second man flies through the air then lands in a stadium and we next see him holding a Hahn beer and watching the game. The final three people fly through the air and land on a roof top where a party is taking place.

THE COMPLAINT

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

I object to the advert because it breaks the code of conduct by showing people drinking beer and then jumping out of an aeroplane. It is not safe for people to drink alcohol and then goes sky diving.

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 dated and set out below Lion's response to complaint 0477/16, for consideration by the ASB Panel.

To confirm, the outdoor billboard was pre-vetted internally at Lion and externally by the Alcohol Beverages Advertising Scheme's (ABAC) Alcohol Advertising Pre-vetting Service (AAPS), receiving approval before going to market.

Advertisement Description

The advertisement that is the subject of this complaint is TVC for Hahn Super Dry. The TVC of Hahn Never Settle shows three different scenarios where people are on auto pilot in life or stuck in a comfort zone. In each scenario we see the people press a red button that launches them out of their comfort zone and allows them to experience new things in their life. Right at the end of the TVC, the three people land in their new situations and they are enjoying the moment while consuming or holding a Hahn Super Dry.

Response to Complaints

Lion does not consider that the Advertisement breaches any section of the AANA Code of Ethics.

Hahn TVC

The TVC of Hahn Never Settle shows three different scenarios where people are on auto pilot in life or stuck in a comfort zone. In each scenario we see the people press a red button that launches them out of their comfort zone and allows them to experience new things in their life. Right at the end of the TVC, the three people land in their new situations and they are enjoying the moment while consuming or holding a Hahn Super Dry

In respect to the specific question:

Does the advertisement breach Section 2 of the Advertiser Code of Ethics, namely the following:

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

2.6 - Health and Safety Unsafe behaviour

And also - REASON FOR CONCERN: I object to the advert because it breaks the code of conduct by showing people drinking beer and then jumping out of an airplane. It is not safe for people to drink alcohol and then goes sky diving.

There is no indication in the Hahn Never Settle TVC that the product created or contributed to a significant change in mood or environment. The scenes show three different people in normal mundane settings. They appear bored with their environment. We then see a red button appear and when it is pressed the people are launched into the sky. The red button is symbolic of someone making the decisions to get out of their comfort zone and experience

new things in life – whether that’s attending a sporting game with friends, sky diving or singing in a band with friends.

Critically, the change of mood occurs when the people press the red button and make the decision (on their own accord) to get off auto pilot. There is no product in these scenes and there is no consumption of Hahn or any indication that Hahn encouraged anyone to press the button. We only see the product 44 seconds into the 1 minute advert when the people arrive at their final scene.

As such Hahn is positioned as an accompaniment to those moments, not the cause of them.

As mentioned previously, the product is only shown 44 seconds into a 1 minute TVC. There is no sign or indication that Hahn was consumed prior to the people sitting on the couch, in their back yard or in the karaoke bar. The people in the scenes are sitting in a mundane environment and there is no visual of any product and no indication that alcohol has been consumed. The product is only shown after all of the people have made the decision to do something different and landed in the new environment.

Lion’s commitment to responsible marketing

As a responsible advertiser, Lion has demonstrated a long-standing commitment to upholding both the letter and intent of the AANA’s Advertising Codes.

Lion maintains strict internal and external processes to ensure this compliance.

As part of Lion’s marketing approvals process, this commercial for Beer the Beautiful Truth was subject to:

Internal legal review and advice from an external legal firm specialising in FMCG marketing and advertising compliance and interpreting the relevant advertising codes and legislation;

Review by Lion’s internal marketing compliance team to ensure its adherence to all relevant advertising codes;

Review and approval through ABAC’s external and independent pre-vetting service (AAPS) at both concept and final stages, receiving approval before going to market.

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 shows people drinking beer then skydiving, which is unsafe.

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 this television advertisement features people who appear bored with their lives being catapulted in to new, more exciting situations after pressing a red button that appears next to them.

The Board noted that while we do see the people fly through the air, the Board considered that alcohol is not shown until after the people arrive at their destinations. The Board noted that one man flies in to an airplane before exiting attached to another person and a parachute. The Board noted that neither of these two men are shown to consume beer at any point in the advertisement and considered that the advertisement did not depict, encourage or condone the consumption of alcohol in conjunction with skydiving/parachuting.

The Board noted that the images of people flying through the air are clearly unrealistic and fantastical and is not a depiction of behaviour contrary to prevailing community standards on health and safety.

The Board considered that the advertisement did not depict material contrary to Prevailing Community Standards on health and safety.

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.