



Case Report

1	Case Number	0505/17
2	Advertiser	Liquor Barons
3	Product	Alcohol
4	Type of Advertisement / media	Billboard
5	Date of Determination	06/12/2017
6	DETERMINATION	Dismissed

ISSUES RAISED

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

DESCRIPTION OF THE ADVERTISEMENT

A billboard features the female "Baroness" character with the text "I can see your house from here - you need more wine"

THE COMPLAINT

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

In an area known to have significant drug and alcohol abuse issues telling people they need more wine is not appropriate. The advertisement also made no sense and at first I thought it was for the local housing development until I noticed the VERY prominent line "you need more wine" which was in a different colour to the rest.

It is encouraging people to drink excessively and/or whilst driving

THE ADVERTISER'S RESPONSE

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

Liquor Barons is a co-operative of independently owned liquor stores operating solely in Western Australia. Commencing in August this year, the co-operative embarked on its "close to home, far from ordinary" campaign using predominately out of home and radio advertising.

Liquor Barons Co-operative Ltd has demonstrated a long-standing commitment to supporting and adhering to ABAC and Advertising Standards Bureau principles and maintains strict internal and external processes in addition to those required by the ABAC Scheme. Liquor Barons does not consider that the advertisement breaches any section of the Alcohol Beverages Advertising responsible marketing Code (ABAC) or any other advertising code including the AANA Code of Ethics.

The complaint against Section 2 of the AANA Code of Ethics

2.1 – Discrimination or vilification.

In our opinion the Advertisement does not contain any material that is discriminatory or vilifies any segment of the community.

2.2 – Exploitative and degrading

In our opinion the Advertisement does not contain material that employs sexual appeal in a manner which is exploitative or degrading to any individual or group of people.

2.3 – Violence

In our opinion the Advertisement does not contain material which presents or portrays violence.

2.4 – Sex, sexuality and nudity

In our opinion the Advertisement does not contain material of a sexual nature nor nudity which is out of context or inappropriate with the marketing communication.

2.5 – Language

In our opinion the Advertisement does not contain any language which is offensive or not aligned with acceptable community standards.

2.7 – Distinguishable as advertising

In our opinion the Advertisement is clearly distinguishable as advertising for Liquor Barons.

2.6 – Health and Safety

In our view, the Advertisement meets all relevant legislative requirements, ABAC's Responsible Alcohol Marketing Code and other relevant advertising codes for the reasons outlined below:

- The advertisement in question is one of a series of six outdoor advertisements that has appeared throughout the Perth metropolitan area over the past 3 months.*
- All six advertisements received AAPS approval - approval number 15648 prior to production and consequent placement.*
- This series of advertisements features 3 characters, or "Barons" (The General, the Amber Baron and the Baroness). This particular execution features the Baroness.*
- The 3 Baron characters also featured heavily in a series of radio advertisements focusing on differentiation, information and education.*

- *The particular billboard advertisement in question features an image of the Baroness along with the text "I can see your house from here – you need more wine".*
- *Importantly, this particular advertisement has been placed on an unusually high billboard located adjacent to a major arterial road.*
- *The wording on this billboard was chosen specifically for this site as it is unusually high.*

In this instance, we disagree that the use of the phrase "I can see your house from here - you need more wine" is out of line with Prevailing Community Standards on health and safety in that on no reasonable assessment could it be considered to encourage irresponsible or excessive consumption of alcohol. There can be no reasonable or logical conclusion drawn that the use of the phrase encourages anything more than a consumer to purchase their existing requirements from the liquor retailer (Liquor Barons) highlighted prominently in the advertisement.

Our view is there can be no reasonable or logical conclusion drawn that the "Baroness" character stating humorously from an exceptionally high billboard "I can see your house from here - you need more wine" suggests anything more than prompting a consumer to purchase their existing requirements from the liquor retailer (Liquor Barons) highlighted prominently in the advertisement.

We feel strongly that this advertisement is in line with prevailing community standards on health and safety, and does not breach the AANA Code of Ethics.

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' concerns that the advertisement is encouraging people to drink excessively.

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 billboard advertisement features a woman with an alarmed look on her face. She has one hand held up toward her mouth and she is holding a pewter champagne style glass. The text on the billboard reads "I can see your house from here, you need more wine." The Liquor Barons name is on the bottom of the billboard.

The Board noted the advertiser – Liquor Barons is an independently owned liquor store operating only in Western Australia. The Board noted the complainant's concern that the area

where the signage is located is an area known to have significant drug and alcohol abuse issues.

The Board considered that the advertisement intended to be humorous and that the look on the woman's face is of surprise. The Board considered that the association with her facial expression and the text was suggesting that she was shocked that the home owner was out of wine.

The Board noted that the suggestion that the home owner needs more wine was not a suggestion to drink excessively or to purchase excessive amounts of alcohol. The Board considered that most members of the community would recognise the suggestion was to consider the purchase of alcohol but considered that the advertisement did not suggest excessive or inappropriate alcohol consumption..

The Board noted that the sale of alcohol products and advertising of liquor shops is not illegal and although some members of the community would prefer that such products were not advertised, the depiction of the woman suggesting the home needs more wine, is not a depiction that was against prevailing community standards on health and safety and did not breach section 2.6 of the Code.

Finding that the advertisement did not breach any other section of the Code, the Board dismissed the complaint.