



## Case Report

1	Case Number	0549/16
2	Advertiser	Muzz Buzz
3	Product	Food / Beverages
4	Type of Advertisement / media	TV - Free to air
5	Date of Determination	18/01/2017
6	DETERMINATION	Dismissed

### ISSUES RAISED

2.3 - Violence Violence

### DESCRIPTION OF THE ADVERTISEMENT

This television advertisement shows a man collecting Java Juice drinks from a drive through Muzz Buzz then removing the lids and punching the drinks so that we see the juice explode over the man and the car. We then see the man wearing the juice cups on his arms and drinking from a straw tucked in between one of the cups and his forearm.

### THE COMPLAINT

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

*These ads are violent, messy and disgusting, promoting a shocking message to children - the very audience they target. These three ads are not responsible. Further they are promoting anger. I have a 12yo daughter who is repelled by these ads and has pressured me to complain.*

### THE ADVERTISER'S RESPONSE

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

*I am responding to the complaint reference number 0549/16 referencing the Muzz Buzz 'Gauntlet' television advertisement. The ad in question features an adult male who is*

*enjoying his Muzz Buzz Java Juice in an unusual way by wearing the juice cups on his wrists. He punches bottoms out of the cups and then drinks the juice from the cup on his wrist.*

*The ad 'Gauntlet' is part of a Muzz Buzz campaign created in the spirit of displaying weird and interesting examples of 'taste driven silliness', aimed at being in good humour.*

*We reject the claim of any overt violence in this advertisement, or that the action encourages violence in any way. Having assessed the advertisement again in light of the complaint, Muzz Buzz feels strongly the ad in question does not breach Section 2 of the AANA code of ethics.*

### **2.3 – Violence**

*It is simply an example of how one person may like to enjoy their Java Juice, regardless of the ridiculous nature of the way he enjoys it.*

*We are disappointed that an individual has not enjoyed the advertisement, but we don't agree that they, or anyone would in any way be influenced to act in a similar way.*

*We take complaints of this nature very seriously, so we appreciate the opportunity to be able to respond.*

## **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 violent and promotes anger.

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

The Board considered whether the advertisement was in breach of Section 2.3 of the Code. Section 2.3 states: "Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service advertised".

The Board noted that this television advertisement featured a man ordering drinks from a drive through and then removing the drink lids and punching the drinks so the juice explodes. The man then wears the cups around his arms and drinks from a straw between his arm and a cup.

The Board noted the advertisement features a man punching drinks cups but considered that the man is on his own and he does not appear to be angry or out of control but rather that he wants to drink his beverage in an unusual manner. The Board noted that there is a high level of community concern around violence but considered that in this instance the advertisement does not present or portray violence and in the Board's view the advertisement is extremely unlikely to encourage members of the community to be violent towards a person.

The Board determined that the advertisement did not breach Section 2.3 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.