



## **CASE REPORT**

1. Complaint reference number	104/05
2. Advertiser	Jim Beam Brands
3. Product	Alcohol
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Tuesday, 10 May 2005
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

The scenes in this television advertisement are set in a boxing arena. The main character in the advertisement is a middle aged man who is forced to face oversized and physically aggressive characters from his life including, for example, his ex-wife. The main character in the advertisement is shown to be physically attacked in the boxing ring and held down against his will. The premise behind the advertisement is that if the main character is willing to drink a glass of bourbon (that is not Jim Beam) then he will not be forced to undergo further attack. The main character repeatedly rejects the no-name bourbon stating that ‘it is not Jim Beam’. The tag line of the advertisement is “Stay True”.

## **THE COMPLAINT**

Comments which the complainant/s made regarding this advertisement included the following:

*“Forcing alcohol on someone, forcing the person to defend himself against it, smacks of hazing practices and surely cannot be an appropriate image for general television.”*

## **THE ADVERTISER’S RESPONSE**

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

*“The opinion of assessors, ourselves and the consumers we have interviewed is that the story and the setting is completely farcical. Each character is a parody, unfeasibly tall, with exaggerated features.”*

*“Dougie is tempted to drink, but no alcohol is drunk in any of the commercials, in fact each is about Dougie refusing to drink as he says ‘it ain’t Jim Beam’ to the inferior bourbon. The purpose of this advertising is to prove how superior in quality the Jim Beam product is by exaggerating what anyone would go through to hold out for Jim Beam rather than any other drink.”*

*“Although the three oversized characters exert force upon Dougie, the commercials were carefully made so no party is injured or seen to be injured, whilst reflecting behaviour consistent with the absurdity of the characters and the situation.”*

## **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 that although the advertisement contained scenes where various persons tried to force alcohol onto the main character, the main focus of the advertisement was that the character was

rejecting the alcohol.

The Board was of the opinion that, in the context of prevailing community standards, the majority of people would find this advertisement humorous rather than offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to violence.

Further finding that the advertisement did not breach the Code on any other grounds, the Board dismissed the complaint.