



## **CASE REPORT**

1. Complaint reference number	105/05
2. Advertiser	Frucor Beverages (V Energy Drink)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 10 May 2005
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement features two animated cockroaches. The first cockroach is standing by an empty can of V Energy Drink when it begins shouting motivating slogans to the second cockroach who appears to be lifting weights. As the camera zooms out it becomes apparent that the cockroach is pushing the weight of a man's foot that is trying to crush him.

## **THE COMPLAINT**

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

*"I have learned that if you drink V and exercise you could have a heart attack... [the ad] might encourage people to drink V and then do exercise ..."*

## **THE ADVERTISER'S RESPONSE**

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

*"It is intended to be entertaining, light hearted and convey a sense of fun and cheekiness as to the nature of the V Energy Drink product. It is not meant as a literal suggestion that V is suitable for exercise or as a sports beverage. Furthermore, the commercial has been carefully designed, and the media selected, to appeal to this target market and not to children, hence the realism of the cockroach characters and the style of humour used in the commercial."*

*"It seems the essence of Cailin's complaint is the belief that drinking V and then exercising may cause a heart attack. Fortunately this claim is simply not true for the average fit young adult V is marketed to. V is sold as an energy drink and complies with the Australia and New Zealand Food Standard Code."*

*"There are clear warnings on the product as to the appropriate use of the product and that the standard 250ml can contains caffeine at levels found in an average cup of coffee."*

## **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 advertiser's comments that V is sold as an energy drink and complies with the Australia and New Zealand Food Standards Code.

The Board found that the depiction did not contravene the provisions of the Code relating to health and safety.

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