



CASE REPORT

1. Complaint reference number	115/09
2. Advertiser	Coca Cola South Pacific
3. Product	Sprite
4. Type of advertisement	Transport
5. Nature of complaint	Discrimination or vilification Other – section 2.1 Language – use of language – section 2.5
6. Date of determination	Wednesday, 8 April 2009
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

This outdoor advertisement contains the image of a ‘nerd’ with a high forehead, an uncool hair style, wearing glasses and a t-shirt with the picture of a tri-cycle and holding a bottle of Sprite. The caption says “Drinking Sprite won’t make you cool, but it will cool you down.”

THE COMPLAINT

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

I object to this advertisement because it makes the concept of bike-theft frivolous. Bike-theft is a serious problem and should not have fun poked at it in the way this ad does. I also object to the claim "but it will cool you down" as Sprite has a large amount of sugar in it, therefore making your body warmer as your body processes it.

THE ADVERTISER’S RESPONSE

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

Thank you for the opportunity to respond to a complaint regarding the Sprite advertisement. (Your reference 115/09 Sprite Transport).

The complaint refers to an outdoor execution of our current Sprite campaign titled 'A thirst for truth.' It is an irreverent and humorous campaign that highlights unspoken truths relevant to the brand's core target audience of 18 to 24 year olds.

The complainant takes issue with two aspects of the ad: the 'Ride it like you stole it' slogan on the man's T-shirt and the 'it will cool you down' tag line.

Regarding the first point, the campaign is making light of the notion that using any product or brand can make you cool, and the image of the geeky guy is used to reinforce that 'truth.' In fact, everything about him is un-cool, including his pathetic attempt to seem cool by wearing a pale "tricycle" version of a t-shirt that is commonly associated with bikers and extreme motor sports enthusiasts. To think he is advocating the stealing of tricycles is to miss the point of the joke (if not the entire campaign), which again was designed with our youthful target audience in mind.

The second point is a reference to the fact that soft drinks are served cold and are by their very nature refreshing. The presumption that a cold beverage - with or without sugar - cannot cool you down is illogical.

As with all our advertising we are careful to ensure that material is appropriate for the audience

and the channel for which it is intended. I submit that the outdoor executions of the sprite campaign do not breach the ASB 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") and the AANA Food and Beverages Advertising and Marketing Communication Code (the "F&B Code").

The Board noted the complainant's concerns that the advertisement trivialises the issue of stealing and makes a misleading claim that the product "will cool you down".

The Board noted that the man is depicted as 'uncool' and that some people may consider that the advertisement makes fun of people who are not 'cool'. The Board noted that the depiction of someone who is not trendy is in line with the message of the advertisement and does not depict the person in a manner which is discriminatory to or vilifying of 'uncool' people. The Board determined that there was no breach of section 2.1 of the Code.

The Board firstly considered the application of Section 2.6 of the Code, relating to prevailing community standards on health and safety in the context of the reference to stealing. The Board noted that the advertisement includes an image of a man wearing a t-shirt with a picture of a tricycle and the slogan "Ride it like you stole it". The Board considered the t-shirt the man was wearing and the slogan appearing on it were irrelevant to the product being promoted and their purpose was simply to add to the man's presentation as being "uncool" (as relevant to the advertisement's tagline). The Board considered the majority of the community would recognise this and would not regard the reference as a serious endorsement of stealing of tricycles or anything else.

In regard to the statement "it will cool you down", the Board noted that this was only part of the full tagline, which reads "Drinking Sprite won't make you cool, but it will cool you down". The Board noted that the tagline used a play on the word "cool" in this context. The Board did not consider the claim "it will cool you down" to be a serious nutritional or health claim in regard to the product's cooling capabilities. The Board agreed with the advertiser response that the reference was to the fact that soft drinks are served cold and are refreshing. The Board therefore considered this statement was not misleading or deceptive and was not in breach of Section 2.4 of the F&B Code and found no other breach of the F&B Code.

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