



CASE REPORT

1. Complaint reference number	180/05
2. Advertiser	Australian Distribution Company (Speed)
3. Product	Food
4. Type of advertisement	TV
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Tuesday, 12 July 2005
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

The first scene in this television advertisement features four separate images cans of Speed Energy Drink set in white squares against a black background. The images of the cans spin clockwise whilst dance music is played in the background. The following scene is an animated sequence that depicts several cans (lined up in a row) that bounce up and down in time with the dance music. The camera angle then changes to show the row of cans from a different perspective. The voiceover states: *“Feeling flat? Have a can of Speed. Maximum energy. Speed. Now in cans for your convenience. No Bull.”*

THE COMPLAINT

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

“... The Australian Government is spending millions of dollars on a Drug Information Campaign aimed at teenagers and young adults... I believe the promotion of the use of drugs (even in this manner) should not be tolerated and should definitely NOT be shown in a time slot where kids are arriving home from school and many of them are more vulnerable without parental supervision.”

THE ADVERTISER’S RESPONSE

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

“... we had a Porsche race car and sponsored the Australian GT/Porsche Drivers Championship, which can be seen on Speed Week and Inside Speed which is on Fox Sports and SBS this week. As you can see these shows are talking about Speed without any reference to drugs.”

“... Our name relates to the performance of the vehicles that we sponsor and are proud to be associated with...”

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board considered that the advertisement contained very strong references to the drug speed. The Board noted that although the name of the product being advertised was ‘Speed’ and that the product was an ‘energy’ drink, the Board considered that the advertiser had employed audio, scripting and editing techniques to establish strong references to drug use.

The music that plays in the background is of a type that is typically played in nightclubs. The Board also considered that the animated, moving cans of drink set against the white background (in the

opening scene) could be likened to the lighting that would be used in a nightclub. The Board believed that the moving/bouncing cans in the advertisement could represent people dancing.

The Board also considered that the use of the words: "*Feeling flat... Maximum Energy*" contained references to the effect that the drug 'speed' is designed to have. In particular, the Board noted that the use of the words "*now in cans for your convenience*" was a reference to an energy boost not being previously, conveniently available in can.

The Board considered that the association of nightclubs with drugs is a link that is generally accepted by the target audience of this advertisement.

The Board determined that the strong link to nightclubs was a very strong implied link to the use of drugs. The Board considered that strong, implied references to drug use in this advertisement was a depiction of material contrary to the prevailing community standards on health and safety.

The Board found that the depiction contravened the provisions of the Code relating to health and safety.

The Board upheld the complaint.