



CASE REPORT

1. Complaint reference number	220/03
2. Advertiser	Frucor Beverages (Aust) Pty Ltd (V Energy Drink)
3. Product	Food
4. Type of advertisement	Outdoor
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Tuesday, 8 July 2003
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

Two outdoor advertisements were referred to the Board, both featuring gnomes. In one the gnomes are shown drawing on a human face, and in the other they are shown in various actions including one poking out his tongue and another dropping his trousers to display his buttocks. Both advertisements incorporate a representation of the product and a caption reading: ‘It all starts with V.’

THE COMPLAINT

Comments which the complainant/s made regarding these advertisements included the following:

“Presumably aimed at the <25yrs market, ‘V’ could be seen to be encouraging drinkers of the product to get up to mischief, destructive behaviour and defacing of property. I find this advertising alarming, inflammatory and distasteful.”

THE DETERMINATION

The Advertising Standards Board (‘the Board’) considered whether this advertising breaches Section 2 of the Advertiser Code of Ethics (‘the Code’).

The Board received a submission on behalf of the advertiser stating that: ‘Hyperbole and humour is simply a way of finding an appealing and interesting technique to capture the attention of marketing-savvy young adults, not as a comment on what is and is not appropriate behaviour.’

The Board considered that, within prevailing community standards, the material did not constitute violence as represented in the Code.

It also determined that the material did not contravene the Code on any grounds, and the complaint was dismissed.