



CASE REPORT

1. Complaint reference number	287/08
2. Advertiser	Coca Cola South Pacific Pty Ltd
3. Product	Food & Beverages
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2 Food and Beverage Code – other
6. Date of determination	Wednesday, 13 August 2008
7. DETERMINATION	Upheld – discontinued or modified

DESCRIPTION OF THE ADVERTISEMENT

This television advertisement features the leader of a SWAT team advising that when they heard that people didn't like the taste of the "old" Mother drink, a "new" Mother drink was produced, with a new taste and double the energy hit. His team's assignment was to track down those responsible for the "old" Mother drink, which is done by the team abseiling down a building and crashing through laboratory windows, attacking the lab workers and destroying their facilities. The team leader concludes "New Mother. Double the energy hit. Tastes nothing like the old one." text on screen alongside a Mother can reads "The Mother of all energy hits."

THE COMPLAINT

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

Surely in this age when all around you see the escalation of violence in our society and the problems it causes, this message is so wrong. All around we have politicians and policy makers trying to evaluate where all this violence is coming from and why it continues to permeate our society, particularly our young men. I find this ad extremely offensive and it serves to continue the normalising of violent behaviour.

This ad is offensive and violent. It shows combat style dressed men invading a workplace and beating and bashing the staff there. This type of violence is unnecessary and shows lack of imagination by the advertiser. I think everybody is subjected to more than enough aggression everyday without the advertisers of "Mother" promoting more of it.

*The advertisement is showing and condoning violence and corporal punishment against people who created something the "public" didn't like.
The message comes across that violence is reasonable "punishment" - a real concern when "one punch can kill"...*

The ad promotes gratuitous violence and thuggery.

This advert encourages violence and aggression amongst young people. It encourages young men to think it is OK to beat people up vocalising strong approval that the aggressive jobs in the TVC are beating up weaker people. The violence is clearly shown, such as thrashing a man's head on the ground when the man is held by his hair. It is done in a realistic and very ugly way. The TVC clearly encourages and creates a role-model for violent behaviour.

This is gratuitous violence. Totally unrelated to the product, unnecessary and senseless. On one hand we have community advertising telling us that "one punch can kill" and here you have these innocent people just going about their work being attacked and beaten by faceless people while this man talks calmly over the top of it like it is totally acceptable/normal. I object to the level of

violence depicted, the irrelevance of the violence to the product and the manner in which it is presented.

This ad blatantly demonstrates and portrays violence and encourages physical revenge. There is nothing subtle about this demonstration of unprovoked physical violence against individuals. Violence does not need to be encouraged.

I think it's a poor mixed message to send our youth that violence such as that is unacceptable on the football field, yet it's OK to violently take retribution against a bunch of scientists for something as innocuous as making a drink we don't like the taste of. I've only seen the ad once, and can't recall whether the "soldiers" were armed, but the intent was certainly to portray they were a crack team of soldiers being sent to enact retribution - I think any ad depicting violent retribution, whether the weapons and violence are obvious or only implied, walks a fine line and deserves closer scrutiny.

Simply the blunt use of violence. SAS type figures abseiling from a roof into a laboratory and beating up and attacking lab technicians. The violence portrayed and the ethos behind the advertisement that violence is a fitting retribution for a mistake are totally wrong and should not be permitted.

This advertisement only promotes violence – “we didn't like the first drink so we're going after the people who made it”. Haven't we got enough violence to deal with without this crap? What's the message from Coca-Cola? That it's OK for men who drink Mother to use their energy to break into buildings, destroy property and injure/main/kill people? Because that's what this new ad says is OK. Every community around Australia is struggling with the increased violence being demonstrated against members of the community by (mostly) young men. For goodness sake, where's the mentality, where's the morality, where's the social conscience?

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 comment on complaints which relate to the new Mother energy drink TV commercial (Your reference: 287/08).

Mother was re-launched into the market in early July, with a new formulation (new & improved taste) and a new larger 500ml can. The brand also features a new look and a revised target audience of blue collar men aged 18-35 years.

Consumer research showed that the original taste of Mother (launched in January 2007) was polarizing, with a significant number of people not liking the taste, and as such performed below expected sales, which ultimately led to the product changes. Unfortunately, we have a large group of people who trialed the original formulation during the first launch and still believe Mother is a terrible tasting drink.

Therefore, the main communication objective of the advertising campaign is to strongly communicate this new taste and the TVC has been specifically designed to call out this key message. In addition, it has been designed to appeal to the target market and to engage them with the brand. This target audience wants to be entertained and amused by brands, particularly those in the energy drink segment.

We have taken an irreverent approach by making a joke of ourselves and acknowledging that we made a mistake with the taste in the original formulation (see TVC & script). The TVC is intended to portray humorous, over the top, slapstick imagery to bring to life the changes we have made to the product and how we have dealt with the mistakes made previously.

In making this TVC, we were very careful to make sure that the depictions of dealing with 'those responsible for the old Mother' were not overly violent.

The Mother TVC was granted a PG rating by CAD. This rating is given to commercials which contain 'careful presentations of adult themes or concepts which are mild in impact and remain suitable for children to watch with supervision (for more please see <http://www.freetv.com.au/>).

We have also been very careful about placing the TVC in appropriate programs to ensure we are reaching our intended target audience (18-35 year olds) and to make sure the material is appropriate to the viewing time. The TVC has been placed in programming such as South Park (SBS), Wipe Out (Channel 9), Dexter (Channel 10), The F Word and Ramsay's Kitchen Nightmares (Channel 9) and Sports Tonight (Channel 10).

As with all our commercials, we are attempting to entertain and engage consumers in the brand, and the material has been developed to appeal to our target audience. We work very hard to ensure all our advertising is executed with sensitivity to the community.

We believe that this TVC is not overly violent and the imagery is delivered in an appropriate manner for both the target audience and the program placement. Therefore it does not breach section 2 of the Advertiser 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”).

The Board noted the complaints' concerns and reviewed the advertisement under Section 2 of the Code which states:

Advertising or Marketing Communications shall not present or portray violence unless it is justifiable in the context of the product or service being advertised.

The Board viewed the television advertisement and noted that it was for an energy drink.

The Board considered the advertisement presented unacceptable violence.

The Board further considered that the violence depicted was not stylised but was gritty and realistic.

The Board noted the looks of fear on the scientists' faces in response to the assault team entering the building by shattering a window.

The Board further noted that the advertisement was clearly based on popular action film narratives to which the target audience could relate however, the Board agreed that this narrative was not enough to suggest the violence was based on fantasy.

The Board considered that the portrayal of violence was unacceptable in the context of the product being advertised and therefore the advertisement was in breach of Section 2.2 of the Code.

Finding that the advertisement did breach the Code the Board upheld the complaint.

ADVERTISER'S RESPONSE TO DETERMINATION

Comments which the advertiser made in response to the determination regarding this advertisement included the following:

I would like to confirm our long standing support for the Advertising Standards Bureau, the Board, the Code of Ethics and the complaints process the Board manages. As a member of the Australian Association of National Advertisers (AANA), we work hard to ensure we comply with the AANA Code of Ethics. As such, we note the ASB's determination to uphold the complaints against the Mother energy drink commercial and the Board's decision to consider the commercial to be in breach of Section 2.2 of the Code.

While we do not agree with the Board's determination, we are keen to find an acceptable resolution. We have reviewed the ASB's determination and draft case report, the TVC itself and the CAD classification of the material and are proposing the following modifications:

While the TVC has a CAD rating of PG ('containing careful presentations of adult themes or concepts which are mild in impact and remain suitable for children to watch with supervision - see www.freetv.com.au), we will place the TVC in media in line with an AV rating (suitable for viewing only by persons 15 and over because of violence). This would mean the advertisement would only be placed in suitable adult programming post 9.30pm in line with CAD definitions.

Further, placement of the TVC in cinema in suitable M rated (recommended for mature audiences - content is moderate in impact -see www.classification.gov.au) films only.

Placement of TVC in the online environment to be restricted to websites which carry adult appropriate content where the target audience is 15 years and over.

These modifications to the placement of the TVC will ensure the commercial is only viewed by a mature audience in environments which are appropriate for the content.

We hope this proposed action is deemed an acceptable modification by the ASB.