



## **CASE REPORT**

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| 1. Complaint reference number | 345/07                                       |
| 2. Advertiser                 | Woolworths Supermarkets Ltd (Safeway Liquor) |
| 3. Product                    | Retail                                       |
| 4. Type of advertisement      | TV   |
| 5. Nature of complaint        | Health and safety – section 2.6              |
| 6. Date of determination      | Tuesday, 13 November 2007                    |
| 7. DETERMINATION              | Dismissed                                    |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement features a male voice over announcing "Right now, buy six or more bottles of wine at any Safeway Liquor, and you can save 20 cents per litre next time you fill up at any Caltex/Safeway co-branded fuel outlet. So rush in to Safeway Liquor now."

## **THE COMPLAINT**

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

*Drinking and driving are to be discouraged as far as possible. This ad is actively encouraging drinking and driving by offering cheaper petrol. I have a moral objection to this type of companion selling. I believe ANY purchase of liquor should be exempt of a petrol discount.*

## **THE ADVERTISER'S RESPONSE**

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

*Woolworths denies that the advertisement encourages drink driving. The advertisement does not encourage or suggest that alcohol should be consumed prior to driving, or otherwise link the consumption of alcohol to the operation of a motor vehicle. To the extent that the advertisement links the purchase of alcohol to the purchase of petrol, it is not correct to say that this alone amounts to an encouragement of drink-driving. Many consumers already use their cars to purchase alcohol from bottle shops, and many bottle shops provide car parking facilities for consumers. Although the provision of a car park clearly links driving and the purchase of alcohol, no one would suggest that offering such consumer facilities amounts to an encouragement of drink driving. Similarly, merely offering a discount upon the purchase of wine does not encourage drink driving.*

*I also note wine, the subject of the offer, is sold sealed, and is not consumed on Safeway Liquor premises, meaning that even if there was a temporal link between the purchase of the alcohol and the purchase of the petrol, there is no link between the consumption of the alcohol and driving.*

## **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 whether the advertisement, which offered a discount on petrol following the purchase of alcohol from the advertiser, amounted to a depiction of material that contravened prevailing community standards on health and safety. The Board considered that the offer by the

advertiser was not suggestive of drink driving nor of excessive alcohol consumption.

The Board considered that the advertisement did not depict or suggest unsafe or unhealthy behaviour. Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.