



## **CASE REPORT**

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|-------------------------------|---|
| 1. Complaint reference number | 35/07                                     |
| 2. Advertiser                 | Diageo Australia Ltd (Johnnie Walker Red) |
| 3. Product                    | Alcohol                                   |
| 4. Type of advertisement      | TV  |
| 5. Nature of complaint        | Health and safety – section 2.6           |
| 6. Date of determination      | Tuesday, 13 February 2007                 |
| 7. DETERMINATION              | Dismissed                                 |

## **DESCRIPTION OF THE ADVERTISEMENT**

This television advertisement is seen from the view of an unidentified man wearing a red jacket as he walks through various scenarios in a busy city's entertainment area. He firstly exits a chauffeur-driven limousine as the driver comments "Walking as always Sir?". The man walks down the street where onlookers (depicted as invisible but with clothing covering their bodies) acknowledge him as he passes with nods, raising of sunglasses, sideways glances - obviously he is recognisable to them. He enters the "Johnnie Walker Red Room" and is given deference by the people he passes by the raising of their drinking glasses. We hear a voice call "Johnnie!" and the well-known image of "Johnnie Walker" appears on screen, indicating that his are the eyes through which we have been viewing the scene. The Johnnie Walker logo is then shown with the words "Keep Walking".

## **THE COMPLAINT**

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

*Encouraging young Australians to be cool by drinking alcohol....the other figures have disappeared because of the alcohol effects on their brains.*

## **THE ADVERTISER'S RESPONSE**

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

*The advertisement does not depict anyone drinking shots of Red Label. The opening scene merely depicts our character taking a sip from a glass of Red Label mixed with cola.*

*The ad does not purport "to encourage young Australians to be cool by drinking alcohol". The figures have certainly not disappeared "due to the effects of alcohol on their brains", rather the invisibility that the complainant refers to is a creative device to bring to life the lyrics of the song which challenges people not to make judgments on people's appearance.*

*The intention of the ad is to position Johnnie Walker as a brand that encourages people to embrace diversity and encourages social acceptance of people. The ad is used to challenge people's current perceptions.*

## **THE DETERMINATION**

The Advertising Standards Board ("Board") considered whether this advertisement breaches Section 2 of the Advertiser Code of Ethics (the "Code").

The Board then considered whether the advertisement breached Section 2.6 of the code dealing with

health and safety.

The Board noted the faceless people in the advertisement and agreed that the images did not show drunkenness, but alluded to the 'faceless' Johnny Walker label. The Board also agreed that the advertisement did not contain material that was contrary to community standards on health and safety.

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