



## **CASE REPORT**

1. Complaint reference number	86/09
2. Advertiser	Unit
3. Product	Entertainment
4. Type of advertisement	Print
5. Nature of complaint	Health and safety – section 2.6
6. Date of determination	Wednesday, 11 March 2009
7. DETERMINATION	Upheld – discontinued or modified

## **DESCRIPTION OF THE ADVERTISEMENT**

*This two page print advertisement for Unit contains an image of a resort on the first page and dice, money, alcohol, g-string, gambling chips and white powder next to credit cards on the second. The white powder appears to represent cocaine or amphetamine. The banner along bottom of both pages reads "Life is not real, you are everything, everywhere and everywhen experiencing yourself subjectively".*

## **THE COMPLAINT**

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

*The white powder appears to represent cocaine or amphetamine. I believe this contravenes Section 2.6 of the AANA Code of Ethics in that it is contrary to prevailing community standards on health and safety. It is disheartening when a clothing and merchandising brand glamorise a life style involving what in Queensland is a schedule 1 dangerous drug under the provisions of the Drugs Misuse Act. From the perspective of a father of children aged almost 14, 17 and 20 who purchase this magazine and at times 'Unit' brand products I am appalled at the bad taste of the advertiser and magazine for desensitising readers with the image.*

## **THE ADVERTISER'S RESPONSE**

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

*We have looked into the artwork.*

*The powder is not actually cocaine, however we feel it is not inline with the Unit image. We will remove all signage and advertising using this photo.*

## **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 complainant's concern regarding the depiction of what appeared to be illegal drugs in the print advertisement, particularly having regard to the fact that children and young adults were readers of the magazine in which the advertisement appeared. The Board considered the application of Section 2.6 of the Code, relating to prevailing community standards on health and safety.

The Board agreed that the white powder shown next to credit cards in the advertisement appeared to represent cocaine or some other illicit drug. The Board noted the demographic profile of readers of

the magazine in which the advertisement featured indicated that the primary audience was 15-24 year olds, with the next largest group of readers being those under 15 years.

The Board considered that the depiction of illicit drugs in the context of an advertisement for a clothing brand was grossly inappropriate and contrary to prevailing community standards on health and safety. The Board was particularly concerned having regard to the audience of the product and media in which the advertisement appeared.

The Board therefore determined the advertisement breached Section 2.6 of the Code and upheld the complaint.

### **ADVERTISER'S RESPONSE TO DETERMINATION**

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

*Firstly our desired audience is 15-30 (not under 15 as stated in your case report).*

*Viewers misinterpretation cannot be controlled, so we agree to remove the powder image from this artwork.*

*We do not glorify drugs in this artwork. We are simply holding up a mirror to society. Unit does more for young people than you might think. We glorify the healthy and active lifestyle of BMX and Motocross. This keeps young people distracted from the evils that the world has to offer.*

*While we are on the topic ... I would like to make this point:*

*Alcohol kills more people each year than every other illicit drug combined times 100. Every night I watch TV and the adverts on TV tell us 'DRINK BEER' 'DRINK BEER' 'DRINK BEER.' So I find it quite ridiculous that we are in trouble over some talcum powder and ... breweries can keep killing people freely.*