

ALCOHOL ADVERTISING REVIEW BOARD



First Report March - June 2012

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Alcohol Advertising Review Board

The Alcohol Advertising Review Board (AARB) considers and reviews complaints from the Australian community about alcohol advertising. It aims to provide an independent system of alcohol advertising review and support the community to respond to inappropriate alcohol advertising.

AARB reviews complaints on the basis of the Alcohol Advertising Review Board Code (the Code), which sets criteria for acceptable alcohol advertising in Australia. The Code aims to ensure alcohol advertising is socially responsible, neither conflicts nor detracts from the need for responsibility and moderation in liquor merchandising and consumption and does not encourage young people to drink. The Code can be found at www.alcoholadreview.com.au.

Introduction from the Chair

Alcohol is one of the most heavily promoted products in Australia. Adults and children of all ages are exposed to alcohol promotion through all media, from press to television, radio to social media, public transport to sponsorship of sports and music festivals. And alcohol is being promoted in ever-more creative ways.

The Alcohol Advertising Review Board (AARB) was developed to provide a system of alcohol advertising review that is independent of industry and covers all forms of alcohol advertising and promotion. Since its launch, the AARB has attracted substantial attention from the community and the media – and from the alcohol and advertising industries, which attack anything that dares to compete with their self-regulatory (or as they like to claim, “quasi regulatory”) system. The AARB has received encouraging support from across Australia. The number of complaints we have received in the first three months and the extensive range of issues they raise show the extent to which alcohol advertising and promotion are present in our community. That over this period we received 63 complaints – far more than the number received by the alcohol and advertising industries’ well-established self-regulatory processes – shows how much scope there was for something new.



Our purpose is not to ban all advertising for alcohol, but to ensure that the community and young people in particular can be protected against inappropriate forms of alcohol promotion.

We have no powers to force action by alcohol advertisers, but we hope that they will take seriously the concerns we have raised and the determinations made by our panel members.

At a time when there is rightly so much concern about a culture of drinking to get drunk among young people, about alcohol-related violence and about problems associated with alcohol, from FASD to road trauma, there should be no place for the kind of advertising about which some of these determinations have been made.

Professor Fiona Stanley AC

Chair, Alcohol Advertising Review Board

Launch

The Alcohol Advertising Review Board was launched on 16 March 2012.

The launch attracted significant media coverage and received support from many health and other organisations around Australia.

An archive of media coverage is maintained on the AARB website at www.alcoholadreview.com.au/news.

Complaints Process

Procedures

AARB aims to make submitting complaints as easy as possible. We accept complaints via an online form, email, phone, fax or post. Once a complaint is received, for which a copy of the advertisement is accessible, the Advertiser is notified and given seven working days to respond to the complaint. The complaint, along with any response received from the Advertiser, is then passed on to three Panel Members for review. Panel Members have seven working days to make a determination. Further details on AARB Procedures can be found at www.alcoholadreview.com.au.

Complaints

The table below summarises the status of the complaints received by AARB in the first twelve weeks of operation to 7 June 2012.

Complaints	
Number of complaints received	63
Number of advertisements these complaints referred to	53
Number of complaints considered by the AARB Panel	44
Number of complaints upheld	25
Number of complaints upheld in part	17
Number of complaints dismissed	2

Complaints related to:

- Television advertisement content
- Sports sponsorship
- Naming and packaging of alcohol products
- Placement of outdoor advertisements where young people may be exposed (e.g. near schools and playgrounds)
- Placement of television advertisements during times children are likely to be watching
- Placement of advertisements on or around public transport (e.g. buses, bus shelters)
- Internet advertisements

Some complaints were not progressed to the review stage as:

- According to AARB Procedures, complaints can only be reviewed if they relate to current advertisements or advertisements which have ended within four weeks of the complaint being submitted. Several complaints received were outside this timeframe; or
- It was not possible to access a copy of the advertisement which was the subject of the complaint.

Review Panel

A total of 68 Panel Members participated in a review during the first twelve weeks of operation. Panel Members were drawn from a range of professions including public health, research, medicine, law, education and marketing.

Advertisers

It is AARB procedure to notify alcohol advertisers of complaints and invite advertisers to respond within seven working days.

Advertisers who chose to participate in the AARB process and provide written responses to complaints regarding their products were:

- Independent Distillers Asia Pacific
- Winemakers Direct
- Direct Wine Cellars
- Bacardi Lion - when notified of a complaint, Bacardi Lion immediately removed the offending advertisement (reference 1/12). See below for further detail.

AARB commends these advertisers for participating in the AARB process.

Advertisers who declined to participate in the AARB process were:

- Brown-Forman Australia
- Beam Global Australia
- Campari Australia
- Diageo Australia
- Foster's Group Limited (Carlton United Brewers)
- Lion
- Some Young Punks Wine
- Suntory Australia
- The Bottle-O 'Luckies Liquor'
- Woolworths Limited

Timeline for handling complaints

AARB is committed to processing and responding to complaints as speedily as possible, with a target average of 20 working days for the handling of complaints.

Within the first twelve weeks of operation, complaints took an average of 21 days for a determination to be reached. The decision was made in the first instance that rather than release determinations in regard to some early initial complaints, AARB would wait until there were sufficient numbers for an adequate report.

Actions

When a complaint is upheld, AARB notifies the advertiser and requests they modify or remove the advertisement.

Below we have summarised nine examples of complaints received, the panel's determination and subsequent actions. The full determination report for each example can be viewed at <http://www.alcoholadreview.com.au/articles/determination-reports/>.

Removal of an advertisement located near a playground

Advertisement: An advertisement for Eristoff Vodka on a bus shelter next to a children's playground in Adelaide, South Australia.

Complaint: The complainant was concerned about the exposure of children to alcohol advertisements (ref 1/12).

Determination: Upheld. The advertisement was found to have contravened sections (4)(a)(i)(1) and (5)(1) of the Content Code, and sections (1)(i) and (7) of the Placement Code.

Action: The Advertiser, Bacardi Lion, was notified of the complaint and the advertisement was removed the next day. AARB commends Bacardi Lion for their prompt action in response to the complaint.

Placement of alcohol advertising near schools

Two complaints were received about alcohol advertisements placed near schools.

Advertisements: 1. An advertisement for Carlton Dry in Moorine Rock, Western Australia, located approximately 350m from the local primary school.

2. An advertisement for Fat Yak Pale Ale in Perth, Western Australia, located approximately 150m from a local high school.

Complaints: Both complainants were concerned about the proximity of the alcohol advertisements to schools and the likelihood young people would be exposed to the advertisements (ref 15/12, ref 12/12).

Determination: Upheld. Both advertisements were found to have contravened sections (1)(i) and (6) of the Placement Code.

Action: AARB requests that Foster's Group Limited, the Advertiser for both products, thoroughly monitor the placement of their advertising, so as to limit the exposure to young people.

Alcohol event sponsorship

Advertisement: Smirnoff Vodka advertising at Groovin the Moo, a music festival held in Bendigo, Townsville, Maitland, Canberra and Bunbury.

Complaint: Young people are likely to be exposed to the Smirnoff advertising as it was placed at a music festival that featured many bands that appeal to young people (ref 42/12).

Determination: Upheld. The advertisements were found to have contravened section (1)(i), (8) and (9) of the Placement Code, as they were placed at a music festival where young people are likely to be exposed.

Action: AARB requests Diageo Australia, the Advertiser of Smirnoff Vodka, reconsider their sponsorship of music festivals that are likely to appeal to young people, including the Groovin the Moo festival series.

Advertisement: Carlton Draught barrier boards at Patersons Stadium, Western Australia.

Complaint: The complainant was concerned about the association of sport and alcohol, and the exposure of young people to alcohol advertising. The complainant noted that young people would be exposed to the advertising at the ground, by watching the game on TV and viewing pictures of the game on online photo galleries (ref 29/12).

Determination: Upheld in part. The barrier boards were found to have contravened section (4)(h) of the Content Code and sections (1)(i), (1)(ii), (2), (8) and (9) of the Placement Code due to the likelihood of young people being exposed to the advertisements.

Action: AARB requests Foster's Group Limited, the Advertiser of Carlton Draught, reconsider the promotion of alcoholic products in association with AFL due to its appeal to young people.

Alcohol and sport

AARB received two further complaints regarding Carlton Draught sponsorship of AFL.

Advertisement:

1. Official AFL Tipping Competition website, sponsored by Carlton Draught.
2. 'Carton Draught Draught Pick' iPhone application.

Complaints: Both complaints were in relation to the association of sport and alcohol, and the advertisements' appeal to young people (ref 13/12, 20/12).

Determinations: The Official AFL Tipping Competition website, sponsored by Carlton Draught, was upheld in part (ref 13/12). The Panel found the advertisement contravened sections (4)(a)(i)(1), (4)(a)(i)(2), (4)(a)(i)(4) of the Content Code and sections (1)(i), (1)(ii) and (8) of the Placement Code due to AFL's appeal to young people and the likelihood young people will be exposed to the advertisement through the website.

The 'Carlton Draught Draught Pick' iPhone application was upheld in part (ref 20/12), and found to contravene section (4)(a)(i)(1) of the Content Code and sections (1)(i), (1)(ii) and (8) of the Placement Code due to AFL's appeal to young people and the likelihood young people will be exposed to the advertisement through the application.

Action: AARB recommends Foster's Group Limited, the Advertiser of Carlton Draught, reconsider the promotion of alcoholic products in association with AFL due to its appeal to young people.

Two separate complaints were received regarding the 'Wild Turkey 10'.

Advertisement: The 'Wild Turkey 10', a competition that offered local sporting teams the opportunity to win one of 10 sporting sponsorship packages worth over \$10,000.

Complaint: Both complainants were concerned about the association between alcohol and sport (ref 18/12).

Determination: Upheld. The advertisement was found to have contravened sections (4)(c)(ii)(1) and (4)(h) of the Content Code and section (3) of the Placement Code, as the advertisement associated Wild Turkey with sporting success and associated alcohol consumption with sporting activities.

Action: AARB requests the Advertiser, Campari Australia, withdraw their sponsorship of local sporting teams, and reconsider advertising through sports sponsorship in the future.

Name and packaging of alcohol products: appeal to young people

Advertisement: The name and packaging of Skinnygirl Cocktails.

Complaint: The complainant believed the name and packaging of Skinnygirl Cocktails would have strong appeal to young people and is associated with youth through the name 'Skinnygirl' and the image used on the package. The complainant also expressed concern that the name 'Skinnygirl' suggests that consuming the product will help you be skinny (ref 32/12).

Determination: Upheld. The advertisement was found to have contravened sections (4)(a)(i)(1), (4)(a)(i)(2), (4)(a)(ii), (4)(j) and (5)(1) of the Content Code, as the majority of the Panel believed the name and packaging of the product would have strong appeal to young people and the term 'skinny' could be viewed as suggesting you will not gain weight when consuming the product.

Action: AARB encourages the Advertiser, Beam Global, to reconsider their use of imagery and design that appeal to young people.

Alcohol and a change in mood

Two complaints were received regarding a Jagermeister television advertisement.

Advertisement: Jagermeister, 'Hunting Since 1935' television advertisement.

Complaint: 1. The first complainant raised concerns over the content of the advertisement, on the basis that the stag in the advertisement is likely to appeal to young people and there is a significant change in mood and environment associated with Jagermeister (ref 8/12).

2. The second complainant raised concerns over the content of the advertisement, on the basis that it only promoted the 'upside' of drinking. The advertisement was shown in a cinema before a film rated MA15+. As the content of the advertisement was already under review in relation to another complaint (ref 8/12), it was reviewed in regard to placement (ref 19/12).

Determination: The first complaint (ref 8/12), which related to content, was upheld in part. The Panel found the advertisement contravened section (4)(c)(ii); the product was strongly associated with a significant change in mood and environment. The second complaint (ref 19/12) was upheld in regard to placement, as it was shown at 6.50pm before an MA15+ movie.

Action: AARB requests the Advertiser, Suntory Australia, withdraw the advertisement immediately and consider the determination with regard to future advertising. AARB also requests Suntory Australia consider the placement of their advertisements in cinemas and only screen prior to films rated 18+ to reduce exposure to young people.

Alcohol and sex

Advertisement: Woodstock Bourbon and Cola 'Calendar Babes'.

Complaint: The complainant believed the online advertisement contravened section (4)(d) of the Content Code on the basis that it associated alcohol with sex (ref 33/12).

Determination: Upheld in part. The Panel found the advertisement contravened section (4)(d) of the Content Code on the basis that the advertisement is sexually provocative as it features scantily clad women in sexually explicit poses with the text 'Wood U?'.

Action: AARB requests the Advertiser, Independent Distillers, withdraw the advertisement immediately.

Alcohol Advertising Review Board Advisory Board

Chair	Professor Fiona Stanley AC	
	Dr John Boffa	Public health doctor
	Dr Rosanna Capolingua	General practitioner; Chair Healthway
	Professor Mike Daube	McCusker Centre for Action on Alcohol and Youth
	Professor Geoff Dobb	Federal Vice President, Australian Medical Association
	Dr Becky Freeman	University of Sydney
	Professor Sir Ian Gilmore	Immediate Past President, Royal College of Physicians of London
	Mr Peter Gordon	Lawyer; Co-Chair, McCabe Centre for Law and Cancer
	Mr Todd Harper	CEO, Cancer Council Victoria
	Mr Michael Moore	CEO, Public Health Association of Australia
	Professor Simone Pettigrew	University of Western Australia
	Mr Terry Slevin	Cancer Council WA
	Dr Norman Swan	Broadcaster
	Mr Michael Thorn	CEO, Foundation for Alcohol Research and Education