

# **ALCOHOL ADVERTISING REVIEW BOARD**



## **Quarterly Report September - November 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](http://www.alcoholadreview.com.au).

### Introduction from the Chair

The Alcohol Advertising Review Board (AARB) was developed to provide a system that covers all forms of alcohol advertising and promotion.

In commenting on the last quarterly report we drew attention to alcohol promotion through social media. In this report, we note the wide range of promotional opportunities available to alcohol companies, particularly through sports sponsorship.

The twelve week period covered in this quarterly update was a typically busy period for Australian sport with NRL and AFL Finals, the annual Bathurst motor racing event and the start of the cricket season. It came as no surprise that nearly one third of complaints received during the twelve weeks were related to sport in some way, with complaints ranging from promotion through branded merchandise to television ads during AFL Finals to product logos painted on sporting fields.



We are a nation of sport fans, and there is growing community concern about the association between alcohol and sport. Examples of ways alcohol is promoted in association with sport include:

- Direct association of sportspeople with alcohol brands through advertising on clothing;
- Prominent branding on sporting equipment (e.g. branded surfboards for surfing events, branded race cars in motor racing events) and merchandise;
- Advertisements placed around sporting arenas, including on boundary fences, billboards, scoreboards and on the field;
- Branding on print advertisements and sports team websites;
- Television advertisements broadcast on weekends and at other times children will be exposed during major sporting events, including alcohol sponsored events;
- Naming rights for events, such as the 'Jim Beam Surftag' surfing competition; and
- iPhone applications associating sport and alcohol brands (such as the 'Carlton Draught Draught Pick').

A complaint about cricket commentary which appeared to promote VB beer during a televised international cricket match - without disclosure that this was an advertisement - was particularly concerning. This matter

has been referred to the Australian Communications and Media Authority (ACMA), as concerns about young people's exposure to alcohol promotions are amplified when the promotion (the commentary) is not clearly disclosed as an advertisement.

In this report we also express frustration over outdoor alcohol advertisements placed near schools. The issue of irresponsible placement of outdoor ads has been raised in previous AARB reports, yet continues to occur time and time again. Outdoor alcohol advertising near schools conflicts not only with the AARB Code, but with codes endorsed by the alcohol and advertising industries. When we are notified of beer and spirit ads located metres from early childhood facilities, pre-primary centres and primary schools, it is distressing that so little is being done to prevent the exposure of children and young people to alcohol advertising.

The Alcohol Advertising Review Board will continue to provide the community with a place to voice their concerns over alcohol advertising. We welcome complaints from anyone who has seen inappropriate or irresponsible alcohol promotions.

**Professor Fiona Stanley AC**

Chair, Alcohol Advertising Review Board

## Complaints – Quarterly Update

The following information covers the twelve week period from 1 September to 23 November 2012.

### 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](http://www.alcoholadreview.com.au).

### Complaints

The table below summarises the status of the complaints received by AARB in the twelve weeks from 1 September to 23 November 2012.

<b>Complaints</b>	
Number of complaints received	35
Number of advertisements these complaints referred to	33
Number of complaints considered by the AARB Panel	25
Number of complaints upheld	18
Number of complaints upheld in part	4
Number of complaints dismissed	3

Complaints related to:

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

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;
- The subject of the complaint was outside the scope of the AARB Code;

- The complainant was not able to provide enough information about the advertisement to enable it to be identified; or
- It was not possible to access a copy of the advertisement which was the subject of the complaint.

### **Advertisers**

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

No Advertiser chose to participate in the AARB process over the twelve week period from 1 September to 23 November 2012. This is the first reporting period for which no advertisers chose to participate in the AARB process.

Advertisers who declined to participate in the AARB process over the twelve week period were:

- Beam Global
- Campari Australia
- Casella Wines
- Coopers Brewery
- CUB
- Diageo Australia
- Independent Distillers
- Lion
- Pernod Ricard Australia
- Suntory Australia
- Wesfarmers Limited
- 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 twelve week period, complaints took an average of 19 days for a determination to be reached.

## Actions

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

### Alcohol and sport

During the twelve week period, the AARB received 11 complaints for alcohol advertisements relating to sport. This included television advertisements aired during live day time coverage of sport, sponsorship of national sporting events, branded merchandise and product packaging.

Below are summaries of six complaints received about alcohol advertising associated with four major sports: cricket, Australian Football League (AFL), National Rugby League (NRL) and motor racing. The full determination report for each example can be viewed at

<http://www.alcoholadreview.com.au/articles/determination-reports/>.

### Alcohol and cricket

**Advertisement:** A VB advertisement was heard during the Channel 9 coverage of the Australia v South Africa International Cricket Test, around 1.30pm WST on Sunday 11 November 2012. Two commentators were heard saying the following dialogue:

“The original big, cold beer, Victoria Bitter, it’s back to its best. The taste that you love, is back, full strength, full flavour, yep, Vic Bitter’s back and as a matter of fact you could dig it up now. It’s back on the label, we’ve restored the iconic labelling over the iconic taste. We’re going back to hard earned thirst. Reward yourself with Vic Bitter after a hard day’s work, that’s a little later Slats, you and me.”

“Those famous ads. As a matter of fact, I’ve got one now.”

“Hard earned thirst boy. Hard earned runs, at the Gabba.”

The dialogue is heard while the camera is focused on the cricket oval and the players are preparing for the next over in the match. The VB jingle is played throughout the dialogue.

**Complaint:** The complainant believed the advertisement blurred the lines between sport and advertising alcohol, and believed the advertisement would have a direct influence on children watching the cricket match (ref 98/12).

**Determination:** Upheld.

Contravened section (3)(c) of the Content Code, as the Panel believed the VB commentary was presented in a format or style which concealed its commercial content.

Contravened section (1), (2) and (9) of the Placement Code, on the basis that children and young people were highly likely to be exposed to the advertisement, the advertisement was

placed in connection with content (cricket) that would appeal to young people, and the advertisement was broadcast at a time when young people were likely to be watching.

**Action:** The AARB expressed concern about the promotions of alcohol during sports commentary and encouraged the Advertiser, CUB, to reconsider their placement of alcohol advertisements during events that are likely to appeal to young people, such as cricket, due to the likely exposure to young people. This matter has been referred to ACMA.

### Alcohol and AFL

**Advertisement:** Two complaints were received regarding the Carlton Draught 'Beer Chase' television advertisement, seen during the broadcast of an AFL Final (6.30pm on Saturday 15 September 2012) and the AFL Grand Final (broadcast during the day on Saturday 29 September 2012).

**Complaints:** Both complainants believed the advertisement contravened the Code on the basis that the advertisement was shown during high profile sporting events, at times when children and young people are likely to be watching (ref 81/12).

**Determination:** Upheld.

Contravened sections (1) and (2) of the Placement Code, as the Panel believed the AFL Finals would have been very popular with young people, and the advertisements were aired during times that children and young people are likely to be watching.

Contravened section (4)(e) of the Content Code, as the majority of the Panel believed the advertisement associated alcohol with daring, toughness, irresponsible and antisocial behaviour.

**Action:** The AARB requested the advertisement be modified or removed to reflect the concerns of the Panel, and requested the Advertiser, CUB, reconsider the placement of alcohol advertisements during times young people are likely to be exposed, and in relation to content that is likely to appeal to young people, such as AFL. As of 11 February 2013, the AARB had not been notified of any action by CUB in response to the determination.

### Alcohol and NRL

**Advertisement:** Two large Bundaberg Red advertisements were painted on the NRL Grand Final ground, broadcast on Channel 9 at 3.30pm on Sunday 30 September 2012.

**Complaint:** The complainant believed the advertisements contravened the Code on the basis that the NRL Grand Final is a major sporting event and many children and young people would have been exposed to the Bundaberg Red advertisements. They noted that the game was screened on television at a time when children and young people are likely to have been watching and believed the advertisements associated alcohol with leading sport and sportspeople (ref 88/12).



**Determination:** Upheld.

Contravened section (4)(a)(i)(4) of the Content Code, as they featured an image of Bundy Bear, an animal character that has been found to have strong appeal and a high degree of recognition among children and young people.

Contravened section (1), (2) and (9) of the Placement Code, on the basis that the NRL Grand Final was a major sporting event that attracts a substantial audience, including children and young people; the advertisements were broadcast at a viewing time when children and young people were likely to be watching; and the advertisements were placed in connection with content that would appeal to young people, NRL and NRL sportspeople.

**Action:** The AARB encouraged the Advertiser, Diageo Australia, to reconsider the placement of alcohol advertisements at events that are likely to appeal to young people, such as NRL, and requested Diageo Australia reconsider their sponsorship of rugby league due to its appeal to young people and the likely exposure of young people to alcohol advertising related to sponsorship.

**Advertisement:** VB advertisements were placed around the field during the NRL Grand Final. The advertisements included an electronic banner along the side of the field which displayed “For a hard earned thirst” and a VB placard located at one end of the field, featuring the text “VICTORIA BITTER” and a VB logo.

**Complaint:** The complainant believed the advertisements contravened the Code on the basis that the NRL Grand Final was a major sporting event and many children and young people would have been exposed to the advertisements. They noted that the game was screened on television at a time when children and young people are likely to have been watching, and believed the advertisements associated alcohol with leading sport and sportspeople (ref 89/12).

**Determination:** Upheld.

Contravened section (1), (2) and (9) of the Placement Code, on the basis that the majority of the Panel believed the NRL Grand Final was an event that would have significant appeal to young people and the advertisements were seen on television during a time young people would have been watching.

**Action:** The AARB encouraged the Advertiser, CUB, to reconsider their placement of alcohol advertisements at events that are likely to appeal to young people, such as NRL, due to the likely exposure to young people.

### **Alcohol and motor racing**

The AARB received a complaint regarding Jim Beam Racing Kids Team clothing, available to purchase from the V8 Supercars Official Online Store.

**Advertisement:** At the time of the complaint, five items were available to purchase from the Jim Beam Racing Kids Team clothing line: three different children's t-shirts, a children's jacket and a children's cap. The children's clothing featured Jim Beam colours and branding, with the words "Jim Beam" replaced by "The Team".

**Complaint:** The complainant believed it was highly inappropriate for children to be wearing alcohol company-branded clothing. They noted that while the words "Jim Beam" had been replaced with "The Team", the clothing still featured the recognisable Jim Beam branding, through colours, typography and patterns. The complainant believed the clothing was directed at children and young people, associated Jim Beam with youth and believed children would be highly exposed to the Jim Beam branding (ref 91/12).

**Determination:** Upheld in part.

Contravened section (3)(c) of the Content Code, on the basis that Jim Beam used its recognisable branding (design, style and colours) but displayed it in a slightly disguised form on the 'Kid's Team' merchandise.

Contravened sections (4)(a)(i)(1) and (4)(a)(i)(2) of the Content Code and section (1)(i) of the Placement Code, on the basis that the merchandise directly targeted young people, associated Jim Beam with youth, and the placement of the alcohol advertisement on children's clothing meant children would be exposed to it.

**Action:** The AARB requested the Jim Beam Racing Kids Team merchandise line be withdrawn immediately, and that the Advertiser, Beam Global, reconsider their sponsorship of V8 Supercars. As of 11 February 2013, the AARB had not been notified of any action by Beam Global in response to the determination.

**Advertisement:** Name and packaging of Coopers Mild Ale Cans – Mount Panorama Commemorative Edition. The limited edition packaging coincided with the 50 year celebration of the Bathurst 1000 motor racing event.

**Complaint:** The complainant believed the packaging of the product was not prepared with a sense of responsibility to its audience, as it associated alcohol with the dangerous and risky sport of motor racing, and believed the motor racing theme held strong appeal to young people (ref 79/12).

**Determination:** Upheld in part.

Contravened section (3)(a)(i) of the Content Code, as the majority of the Panel believed the association between alcohol and motor vehicles was irresponsible and the naming and packaging did not reflect the spirit of the Code.

Contravened section (4)(e) and (4)(h) as the majority of the Panel believed the product packaging directly connected the product to motor racing, a daring activity, and associated alcohol with driving and motor vehicles.

**Action:** The AARB strongly encouraged the Advertiser, Coopers Brewery, to reconsider the packaging of the product and their sponsorship of V8 Supercars, due to the association between alcohol, driving and motor vehicles. As of 11 February 2013, the AARB had not been notified of any action by Coopers Brewery in response to the determination.

The AARB continues to express concern over alcohol sponsorship of sport, and the extent to which alcohol appears to have become part of the Australian sporting culture. The complaints summarised above reflect the range of promotional opportunities available to alcohol companies through sponsorship (e.g. branded merchandise, product packaging, television advertising), and the extent to which a culture of alcohol promotion has become embedded in our major national sports.

At a time when there are significant concerns about alcohol use among young people, alcohol sponsorship of major sporting codes sends mixed messages to the community about sports and the acceptability of alcohol. Sponsorship is a form of advertising that has high exposure to children and young people; the 2012 AFL and NRL Grand Finals were watched on television by over 3.1 million and 2.4 million Australians, respectively<sup>1</sup>.

Many thousands of children and young people are exposed to the substantial advertising for alcohol products and retailers during major national sporting events. This is of significant concern as exposure to alcohol advertising influences young people's beliefs and attitudes towards drinking<sup>2</sup> and contributes to the normalisation of alcohol use<sup>3</sup>.

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<sup>1</sup> Vickery C. AFL Grand Final beats NRL Grand Final in TV ratings stakes. Herald Sun; 2012 Oct 1 [cited 2013 Jan 16]. Available from: <http://www.heraldsun.com.au/entertainment/afl-grand-final-beats-nrl-grand-final-in-tv-ratings-stakes/story-e6frf96f-1226485960141>

<sup>2</sup> Anderson P, de Bruijn A, Angus K, Gordon R, Hastings G. Impact of Alcohol Advertising and Media Exposure on Adolescent Alcohol Use: A Systematic Review of Longitudinal Studies. Alcohol & Alcoholism. 2009; 44(3):229-243.

<sup>3</sup> Australian Medical Association. Alcohol Marketing and Young People: Time for a new policy agenda. Canberra: Australian Medical Association; 2012.

## Alcohol ads near schools

In the twelve week period, the AARB received three complaints for alcohol advertisements located near schools.

### Budweiser advertisement near Living Waters Lutheran College

**Advertisement:** A Budweiser advertisement was seen on a public telephone box outside Living Waters Lutheran College in Warnbro, WA. This was the fourth time an alcohol advertisement had been placed on the same telephone box.

**Complaint:** The complainant was concerned about the placement of an alcohol advertisement outside a school, as children and young people would be exposed to it (ref 95/12).

**Determination:** Upheld.

Contravened sections (1)(i) and (6) of the Placement Code, as the advertisement was located next to a school and children and young people would be exposed to it.

**Action:** The AARB requested the Advertiser, Lion, take the determination into account in relation to future placement of alcohol advertisements. The AARB is not aware of any action taken by Lion in regard to the determination.

### Midori and Arvo Beer advertisements near a pre-primary and early childhood centre

**Advertisements:** A Midori advertisement was seen on a public telephone box in Floreat, WA, approximately 30 metres from an early childhood centre and 150 metres from Floreat Park Primary School Pre-Primary Centre. One week later, an Arvo Beer advertisement was seen on the same telephone box.

**Complaints:** The complainant believed both advertisements contravened the Code, on the basis that the advertisements were placed outside an early childhood centre and a pre-primary centre, and believed children were highly likely to be exposed to the advertisements (ref 99/12, 100/12).

**Determinations:** Upheld.

Contravened sections (1)(i) and (6) of the Placement Code, on the basis that children and young people would be exposed to the advertisements.

**Action:** The AARB requested the advertisements be withdrawn immediately, and asked the Advertisers (Suntory Australia and Casella Wines) to take the determination into account in relation to future placement of alcohol advertisements. The AARB is not aware of any action taken by the Advertisers in regard to the determination.

It is extremely concerning to see alcohol advertisements continue to be placed outside schools. The complaints received by the AARB are expected to represent a larger problem, as many alcohol advertisements near schools are likely to go unreported.

Examples of repeated placements of alcohol advertisements near schools are particularly troubling. Despite numerous complaints to a range of agencies, four alcohol advertisements were placed outside Living Waters Lutheran College within a 20 month period. Advertisers and outdoor advertising agencies have a responsibility to ensure their advertising placement processes effectively prevent alcohol advertisements from being placed near schools and other locations with high exposure to children and young people.

Outdoor advertising cannot be switched off or made invisible to young people. Children and young people should be protected from exposure to alcohol advertisements as they travel to and from school each day.