

**Alcohol Advertising Review Board**

**Determination Report**

**Reference number:** 606/17  
**Product:** Captain Morgan Spiced Gold Rum  
**Advertiser:** Diageo Australia

The complaints are **upheld**.

**14 March 2017**

This determination by the Alcohol Advertising Review Board Panel (“the Panel”) concerns an advertisement for Captain Morgan Spiced Gold Rum by Diageo Australia which was the subject of two complaints received on 22 February and 7 March 2017.

**The Advertisement**

The advertisement was seen by the first complainant on a bus stop on Canning Highway and a phone box on Kintail Road in Applecross, Western Australia. It was seen by the second complainant on a phone box outside a Centrelink office on Reid Promenade in Joondalup, Western Australia.

In the middle of the advertisement was large white text stating “PARTY LIKE IT’S PAYDAY” against a red background. The word “PAYDAY” was in larger font than the rest of the phrase. Below the text was a cartoon image of a pirate’s head, and an image of a bottle of Captain Morgan, a bottle of Captain Morgan & Cola and a glass of a mixed drink with ice and a lime wedge. There was a Captain Morgan logo at the top of the advertisement. A small “Get the facts DRINKWISE.ORG.AU” logo was in the bottom left corner.

**The Complaints**

The complainants believe the advertisement contravenes the Code. The first complainant stated:

“I’ve seen this Captain Morgan ad in three locations in the southern suburbs of Perth over the last few days - one on a bus stop and two on public phone boxes.

It immediately grabbed my attention because the tagline “Party like it’s payday” seems so inappropriate. It makes me think of the people who spend their pay on alcohol and then don’t have much money left over for essentials like food and rent etc. There has been quite a lot of talk in the media of cashless welfare cards which can’t be used on alcohol or gambling so people use their money on food, clothing and bills. This is obviously a big problem in Australia, so it seems outrageous to have a very public alcohol advertising campaign that is actually promoting partying and buying alcohol around the payday theme. The pictures I’m sending are from around the Applecross area of Canning Highway, which is a very busy highway just near the

freeway. The phone box is on Kintail Road, just off Canning Highway. While Applecross is an advantaged community, this ad campaign is of course not limited to that area.”

The second complainant stated:

“Outside of Centrelink in Joondalup (Ried Promenade)

The sign says "Party like its Payday" conveniently out the front of Centrelink where people go to get their fortnightly welfare payment. This is highly insensitive considering Australia's alcohol issues are highly prevalent amongst those on welfare benefits (i.e. Aboriginal, Low SEIFA).

Teenagers are also exposed to this (i.e. those on Ab Study or Aus Study allowances)

When responding to the statement “Please tell us the reasons why you object to the advertisement” on the online complaint form, the complainant stated “Because it's directly aimed at the most disadvantaged Australians.”

### **The Code**

The advertisement was reviewed against the Code, and in particular:

Section (3)(a)(i) of the Content Code:

3. General provisions:

a. Compliance

i. Alcohol Advertisements must be prepared with a sense of responsibility to the audience and to society and must reflect the spirit, not merely the letter, of the Code.

Section (3)(f) of the Content Code:

3. General provisions:

f. Community Standards

Alcohol Advertisements shall not display obvious indifference to, or encourage, conduct or attitudes that offend the standards of public decency prevailing among a significant segment of the population.

Section (4)(b)(ii) of the Content Code:

4. Alcohol-specific provisions:

b. Consumption

ii. Alcohol Advertisements must not feature, condone or encourage, directly or by implication, irresponsible or immoderate drinking. That applies to both the amount of alcohol presented and the way drinking is portrayed.

Section (4)(e) of the Content Code:

4. Alcohol-specific provisions:

e. Alcohol and behaviour

Alcohol Advertisements must not link alcohol with daring, toughness, aggression, or unruly, irresponsible or antisocial behaviour.

Alcohol Advertisements shall not attempt to establish the Product as a status symbol, a necessity for the enjoyment of life or an escape from life's problems, or attempt to establish that consumption of Product should take precedence over other activities.

Section (4)(i) of the Content Code:

4. Alcohol-specific provisions:

i. Use of imperative language

Alcohol advertising must not use imperative language to urge people to purchase or consume Product.

Section (7) of the Placement Code:

7. Transport advertising

No Alcohol Advertisements shall be placed on any means of public transport.

No Alcohol Advertisements shall be placed at any train, tram, bus or ferry stops.

### **The Advertiser's Comments**

The Advertiser was contacted for comment regarding the Applecross, WA bus stop and phone box advertisement on 22 February 2017. A response was received on 2 March 2017 and passed on to the Panel for consideration. The Advertiser declined to participate in the Alcohol Advertising Review Board process, noting it was a participant in the Alcohol Beverage Advertising Code Scheme.

### **Panel's determination**

The complaints were referred to three Panel members for review. The Panel determined:

1. The advertisement contravened section (3)(a)(i) of the Content Code, on the basis that the phrase 'party like it's payday' is irresponsible and implicitly encourages excessive drinking. A Panel member commented that the advertisement reads as a message targeted to a drinker who has funds now, exhorting him or her to spend those funds on liquor and partying before the money is spent on other things. They believed this suggests that the target for the product is people who perhaps struggle financially to stretch their pay from week to week.
2. The advertisement contravened section (4)(b)(ii) of the Content Code, on the basis that the advertisement encourages immoderate drinking. A Panel member commented that the advertisement is an invitation to constantly party, while another commented that the advertisement encourages the viewer to purchase the advertiser's rum for the purposes of partying, before their wages are dissipated on other things.
3. The advertisement contravened section (4)(e) of the Content Code, on the basis that the majority of the Panel believed the advertisement attempts to establish the product as a necessity for the enjoyment of life and that consumption of this product should take precedence over other activities, such as paying for accommodation and food with one's pay cheque.

4. The advertisement contravened section (4)(i) of the Content Code, on the basis that the majority of the Panel believed the advertisement uses imperative language ('party') to urge people to consume the product.
5. The advertisement on the bus stop on Canning Highway in Applecross, WA, contravened section (7) of the Placement Code, on the basis that the advertisement was placed on a bus stop.

In regard to the advertisement placed outside a Centrelink office in Joondalup, WA, two Panel members further commented that:

1. The advertisement contravened section (3)(f) of the Content Code, on the basis that the placement is contrary to the spirit of the code and community standards of decency. A Panel member commented that the placement is in bad taste and "offends standards of public decency prevailing among a significant segment of the population" because it is targeting those who are vulnerable and disadvantaged, and who are subject to the greatest financial stress.

The complaints are **upheld**.

#### **Further action**

The Alcohol Advertising Review Board requests the Advertiser cease the use of the advertisement immediately, and cease using public transport-related locations to advertise their products due to likely exposure of young people.