

Alcohol Advertising Review Board

Determination Report

Reference number: 770/19
Product: BWS and Jim Beam
Advertiser: Endeavour Drinks Group

The complaint is **upheld**.

6 May 2019

This determination by the Alcohol Advertising Review Board Panel (“the Panel”) concerns an advertisement for BWS and Jim Beam by Endeavour Drinks Group which was the subject of a complaint received on 2 April 2019.

The Advertisement

The promotion was seen in the Woolworths supermarket catalogue. On the left of the promotion was an image of a Harley Davidson motorbike and a Mustang car. Above the vehicles was a Jim Beam logo and the text “WIN A HARLEY OR A MUSTANG. SPEND \$30 OR MORE ON ANY JIM BEAM BLACK PRODUCT FOR YOUR CHANCE TO WIN.” On the right of the promotion was an image of three Jim Beam products. There was a Black Double Serve 375ml Can with the text “4 CANS \$24” in a circle above it, a Jim Beam Black & Cola 375ml Can with the text “10 CANS \$50” and “SAVE \$6” in circles above it, and a Jim Beam Black Label Bourbon 700ml bottle with the text “700ML \$40” and “SAVE \$13” in circles above it.

The Complaint

The complainant believes the advertisement contravenes the Code. The complainant stated:

“This competition by BWS to win a Harley or a Mustang with the purchase of Jim Beam products clearly associates alcohol with driving and riding. These are dangerous activities requiring a significant degree of skill and mental alertness. BWS should not be encouraging customers to purchase alcohol to win motorbikes and cars.

Seen in the Woolworths supermarket catalogue, commencing on 26 March 2019.”

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 (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)(h) of the Content Code:

4. Alcohol-specific provisions:

- h. Operation of vehicles, skilled activity, sport

Alcohol Advertisements may not portray Alcoholic Beverages in such a way as to associate the product with the operation of any vehicle or with any activity requiring a significant degree of skill, care or mental alertness, including sporting and physical activities.

The Advertiser's Comments

The Advertiser was contacted for comment on 3 April 2019. A response was received on 4 April 2019 and passed on to the Panel for consideration. The Advertiser declined to participate in the Alcohol Advertising Review Board process.

Panel's determination

The complaint was 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 majority of the Panel believed the advertisement was not prepared with a sense of responsibility. One Panel member disagreed, as they did not believe the advertisement overtly linked drinking and driving/riding. However, another Panel member commented that given alcohol's impact on Australia's road toll, it is irresponsible to be subtly condoning an association between drinking and driving.
2. The advertisement contravened section (4)(e) of the Content Code, on the basis that the majority of the Panel believed the advertisement linked alcohol with daring and toughness. While one Panel member believed that there was not a strong enough connection between the specific prizes and aggressiveness, another Panel member commented that the Harley Davidson and Mustang brand names are associated with daring and toughness, as is the corresponding dark colour tone of the ad's creative execution. They therefore believed that the promoted alcohol products were being linked with daring and toughness.

3. The advertisement contravened section (4)(h) of the Content Code, on the basis that the majority of the Panel believed the competition promoted in the advertisement links alcohol with driving motor vehicles.

The complaint is **upheld**.

Further action

The Alcohol Advertising Review Board requests the Advertiser cease the promotion of alcohol in connection with motor vehicles, and cease linking alcohol with daring and toughness.