

Australia's Responsible Alcohol Marketing Scheme

2019 First Quarter Report



OVERVIEW

The ABAC Responsible Alcohol Marketing Code (the Code) sets standards for responsible alcohol marketing in Australia and regularly measures its determinations externally to ensure it is in line with community expectations. The Code regulates both the content and placement of alcohol marketing across all advertising mediums. Ad Standards offers the public an opportunity to complain about any advertising that concerns them at <https://adstandards.com.au/lodge-complaint> and all complaints relating to alcohol are passed on to ABAC.

The first quarter of 2019 saw significantly fewer alcohol complaints and determinations than 2018. Half the number of complaints were received and the Panel made less than a third the determinations when compared with the first quarter of last year. It was pleasing to see only one breach of the Code, a Twitter post by Southern Bay Brewery that implied it is an acceptable experience to use excessive alcohol consumption to navigate difficult situations. The post was removed by the company on being notified of the complaint.

By contrast a similar number of pre-vetting requests were made in the first quarter of 2019 when compared to 2018 and a higher percentage of requests were rejected by the pre-vetting service and therefore never entered the market. None of the content breaches in the first quarter (or in fact for the past two years) related to marketing material that was pre-vetted by ABAC. This highlights the importance and effectiveness of the ABAC pre-vetting system, which involves ABAC checking marketing material for compliance with its standards prior to the material reaching the market. Using the pre-vetting service significantly reduces the risk of breaching the ABAC standards.

When engaging in alcohol marketing on social media and through influencers, it is important to note that all the same ABAC and AANA Code of Ethics standards must be met as for traditional forms of advertising. Companies, their agencies and partners must be familiar with the content and placement standards and also the best practice guide for digital marketing.

KEY STATISTICS

Complaints	24
Raising Code issues and referred to the Panel for determination	12
Not raising Code issues*	10
Raising a consistently dismissed issue	2
Determinations	6
Upheld**	1
Upheld as No Fault Breach	0
Dismissed	5
Pre-vets	380
Rejected	57

* Complaints that did not raise Code issues raised matters dealt with by other codes/legislation or bodies such as racism, offensive themes, bullying and excessive advertising.

** The upheld decision related to marketing that was not pre-vetted

RECENT ALCOHOL MARKETING COMPLAINTS

Breach of ABAC Standards

Southern Bay Brewery (complaint regarding content)

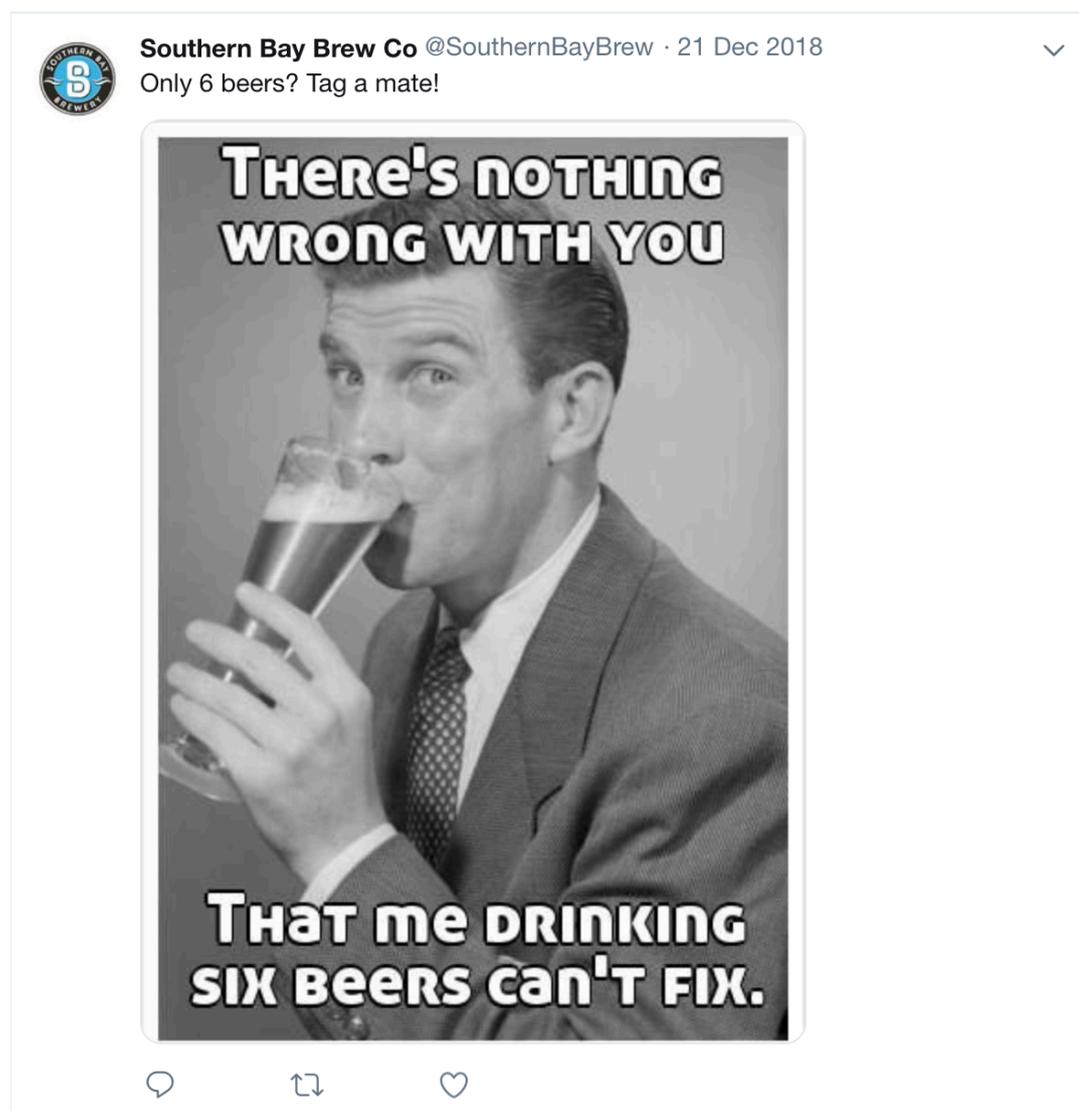
Complaint: A Twitter post promoting Southern Bay Brewery implies a reader should consume in excess of six beers which isn't responsible drinking practice.

ABAC standard: Alcohol marketing cannot:

- show, directly imply or encourage excessive consumption of an alcohol beverage; or
- suggest the consumption or presence of an alcohol beverage may create or contribute to a significant change in mood or environment.

Decision: The Panel found the marketing in breach of these ABAC standards not because the message would be taken as seriously saying it's good to consume six beers in one session of drinking but because it implies that it is a common and acceptable experience to have used excessive alcohol consumption to navigate difficult situations.

The advertiser confirmed that the post was removed prior to the determination being made and its social media posts were being reviewed.



Marketing Consistent with ABAC Standards

Hahn, Iron Jack, Jim Beam & Canadian Club (complaint regarding placement)

Complaint: Concern that children and young adults will see alcohol ads during Channel 7 broadcasts of cricket Test, BBL and WBBL matches.

ABAC standard: Alcohol marketing placement must:

- comply with Commercial Television Industry Code of Practice (CTICP) requirements
- only appear in conjunction with programs where the audience is reasonably expected to comprise at least 75% adults
- not accompany programs that are primarily aimed at minors

Decision: The Panel found that the marketers met the ABAC placement requirements:

- CTICP allows alcohol ads to be broadcast with live broadcasts and replays were broadcast at times which met CTICP requirements.
- Based on previous data for audiences of cricket games it was reasonable to expect that the audience for the games at the time the ads appeared would have been at least 75% adults.
- Cricket has appeal across age groups, including under 18s, however it could not be said to be primarily aimed at minors, particularly when the audiences of the games are overwhelmingly adult.

1573 (complaint regarding placement)

Complaint: Concern that children and young adults will see alcohol ads while watching Australian Open Tennis matches.

ABAC standard: Alcohol marketing placement must:

- comply with Commercial Television Industry Code of Practice (CTICP) requirements
- only appear in conjunction with programs where the audience is reasonably expected to comprise at least 75% adults
- not accompany programs that are primarily aimed at minors

Decision: The Panel found that the ABAC Code does not apply to a stadium name or hoardings at a stadium that simply state the name of the alcohol product and/or logo but don't go to the promotion of brand attributes.



Endeavour Drinks Group and Coles Liquor (complaint regarding content and placement)

Complaint: Concern that including alcohol promotions in supermarket catalogues infers alcohol is an everyday grocery item and will appeal to and target children who use the catalogues to cut out images for use in classrooms.

ABAC standard: Alcohol marketing must not have strong or evident appeal to minors and it must not be placed:

- where the audience is reasonably expected to comprise at least 75% adults
- with content that is primarily aimed at minors

Decision: The Panel found that:

- there is no ABAC standard that prohibits adult use of alcohol being portrayed as 'normal'
- the mere fact that an alcohol ad appears in a supermarket catalogue will not of itself breach the strong or evident appeal to minors provision
- data provided shows that Woolworths supermarket catalogues are predominantly read by adults, which is reinforced by a common sense view that catalogues are most likely read by adult consumers of supermarket products
- the content of a supermarket catalogue is not aimed at minors but rather those responsible for household purchases which will be overwhelmingly adults

Sesion Tequila (complaint regarding content)

Complaint: Concern that putting naked women, bondage and booze together is irresponsible.

ABAC standard: Alcohol marketing must not show or encourage irresponsible or offensive behaviour that is related to the consumption or presence of an alcohol beverage.

Decision: The Panel found:

- the post does not depict alcohol use or the presence of alcohol nor does the demeanour of the woman shown indicate she is affected by the use of alcohol
- the reference to bondage is drawn from the woman's t-shirt and the text accompanying the image, however there is no depiction or implication that alcohol use has occurred or that the woman is not in control of the situation
- while the depiction of a woman's body (without showing her face) in the manner adopted by the post raises legitimate questions of sexism and personal agency, these are issues for Ad Standards under the Code of Ethics and not the ABAC scheme as such.



BWS (complaint regarding content)

Complaint: Concern that the cross promotion of frozen pizza and beer will encourage excessive consumption of alcohol and strongly appeal to under 18 year olds.

ABAC standard: Alcohol marketing must not encourage excessive consumption of alcohol or strongly appeal to minors.

Decision: The Panel found:

- the ad states the promotion is available and how the discount can be obtained but does not imply that the beer should be consumed rapidly or in an irresponsible manner
- while pizza is a food popular amongst under 18 year olds as it is with all age groups, the ad is passive in format, advising the availability of the promotion and has no active elements, nor uses designs or characters or dynamic colouring or any other features which would bring it particularly to the attention of or make it strongly appealing to minors



Freezer 23

<p>\$3.40 SAVE \$3.40</p> <p>1/2 Price</p> <p>Single Tray Chicken pieces Tenderloin \$8.50 per tray</p> <p>Tip Top DINKY WHOLEMEAT FINGERS</p>	<p>\$4.00 SAVE \$4</p> <p>1/2 Price</p> <p>Single Tray Chicken Breast Lumpkin \$14.99 per tray</p> <p>Tip Top CHICKEN BREAST KIEV</p>	<p>\$4.32 SAVE \$4.33</p> <p>1/2 Price</p> <p>Four N Twenty Club Beer 400g original wheat & 200g Pils</p> <p>Four N Twenty ANGUS AUSSIE BEEF</p>
<p>\$4.00 SAVE \$1</p> <p>Lean Cuisine Creamy Baked Salmon Pasta 250g x 3</p>	<p>\$4.80 SAVE \$1.20</p> <p>On the Border Fiesta Fish & Chips 222g \$1.50 per 100g</p>	<p>\$6.40 SAVE \$6.40</p> <p>1/2 Price</p> <p>Victoria Bitter 400g x 6 \$7.99 per 100g</p> <p>Patties To Go Beef 24 x 20g</p>

Buy any McCain Family Pizza

\$5.00
SAVE \$1.50

McCain
BBQ Meatlovers
\$1.50 per 100g

Get a VB 6 Pack for \$12

SAVE FROM \$7.50

BWS

To redeem this offer, either scan your Rewards card or provide the Woolworths receipt at BWS after the McCain Pizza has been purchased.

Offer available from 12/04/19 - 26/03/19. Purchase any McCain family pizza or Four N Twenty frozen pie from Woolworths to be eligible to receive this offer. Scan your Rewards card or provide the Woolworths receipt to BWS after the McCain family pizza or Four N Twenty frozen pie has been purchased. Available on Victoria Bitter bottles and cans 6x375ml. Offer not available on BWS's online. 1x redemption per Woolworths receipt. At this great offer, no further discounts apply.

100% **BWS** supports the responsible selection of Alcohol. See sign 34 for full T&Cs and more great deals.

The fresh food people 

The ABAC Complaints Panel is headed by Chief Adjudicator Professor The Hon Michael Lavarch AO. For more information on ABAC, visit: <http://www.abac.org.au>.