

Alcohol Advertising Review Board

Determination Report

Reference number: 226/13
Product: Smirnoff Double Black Vodka
Advertiser: Diageo Australia

The complaint is **upheld in part**.

26 November 2013

This determination by the Alcohol Advertising Review Board Panel (“the Panel”) concerns an advertisement for Smirnoff Double Black Vodka by Diageo Australia which was the subject of a complaint received on 28 October 2013.

The Advertisement

The advertisement was seen on the YouTube homepage (www.youtube.com) on Saturday 26 October 2013. A screenshot was provided by the complainant. The advertisement was a banner across the top of the YouTube homepage. The advertisement featured a barren landscape at night, with city lights in the distance. A building in the middle of the countryside had beams of light pointing into the sky. On the left of the advertisement was a streak of light, with silhouettes of people inside the light diving towards the ground. A bottle of Smirnoff Double Black is on the right, with the text “ARRIVE BOLDLY” along the bottom of the advertisement. On the right of the advertisement was a video. The still image of the video featured the silhouette of a person in front of the sky at dusk. A play button was in the middle of the video with the text “PLAY WITH SOUND”.

When played, the advertisement opens with a young woman dancing energetically outside. The song Video Games by Lana Del Rey plays in the background. The next sequence of shots include a person banging on drums next to a large crater in the ground; a young woman walking, looking up at a shooting star at dusk; the inside of a deserted house with strobe lights flashing; and a young woman looking around a crowded dance floor. The next scenes feature people skydiving in streaks of fire at night, interspersed with scenes of a rave and people dancing. The skydivers are seen on the ground gathering up parachutes and changing into party clothes, then walking to a building through a barren landscape. A bartender pours what is assumed to be vodka into four glasses filled with ice. The music speeds up and becomes more electronic. There are several more shots of young people dancing. The closing shot is of a bottle of Smirnoff Double Black Vodka against a night sky. White text “ARRIVE BOLDLY” appears on either side of the bottle. A DrinkWise logo is in the bottom left corner.

The Complaint

The complainant believes the advertisement contravenes the Code, on the basis that the advertisement featured young people and was aimed at young people, and linked Smirnoff with social and sexual success.

The Code

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

Section (4)(a)(i)(1) of the Content Code:

4. Alcohol-specific provisions:

- a. Young people
 - i. Alcohol Advertisements shall not:
 - 1. be directed at, or have a strong or evident appeal to, Young People;

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

4. Alcohol-specific provisions:

- a. Young people
 - ii. Adults appearing in Alcohol Advertisements must be over 25 years of age and be clearly depicted as adults of this age.

Section (4)(c)(ii)(1) of the Content Code:

4. Alcohol-specific provisions:

- c. Change in mood and/or success
 - ii. Alcohol Advertisements must not suggest that the consumption or presence of alcohol beverages may create or contribute to a significant change in mood or environment and, accordingly, must not:
 - 1. depict the consumption or presence of alcohol beverages as a cause of or contributing to the achievement of social acceptance, social status, or personal, business, social, sporting, sexual or other success;

Section (8) of the Placement Code:

8. Internet

Alcohol Advertisements shall not appear online in connection with content that appeals or is likely to appeal to Young People.

The Advertiser's Comments

The Advertiser was contacted for comment on 28 October 2013. A response was received on 29 October 2013 and passed on to the Review Panel for consideration. The Advertiser declined to participate in the AARB process, noting that it is a signatory to and participates in the Alcohol Beverages Advertising Scheme (ABAC).

Panel's determination

The complaint was referred to three Panel members for review. The Panel determined:

1. The advertisement contravened section (4)(a)(i)(1) of the Content Code, on the basis that the advertisement would have strong appeal to young people under the age of 25, with themes including skateboarding, break dancing, a nightclub environment, and adventure sports such as sky diving. Panel members commented that the contemporary song used would appeal to young people, as it is by an artist very popular with young people.
2. The advertisement did not contravene section (4)(a)(ii) of the Content Code, on the basis that the majority of the Panel did not believe the people in the advertisement looked younger than 25 years of age.
3. The advertisement did not contravene section (4)(c)(ii)(1) of the Content Code, on the basis that the Panel did not believe the advertisement suggested the presence of the product was a cause of or contributed to a significant change in mood or environment, or was a cause of or contributed to the achievement of success.
4. The advertisement contravened section (8) of the Placement Code, on the basis that the majority of the Panel believed YouTube appeals to young people, and as the advertisement was placed on the YouTube homepage young people were likely to be exposed to it.

A Panel member commented on Diageo's response, noting the low rate of complaints upheld by the ABAC Scheme and that they believed by the time ABAC reviews complaints, advertisements would have already had significant reach and have been seen by their intended market.

The complaint is **upheld in part**.

Further action

The Alcohol Advertising Review Board requests the advertisement be withdrawn or modified immediately to reflect the concerns of the Panel, and requests the Advertiser cease advertising alcoholic products on YouTube, where young people are likely to be exposed to the advertisements.