

COMPLAINT NUMBER	17/440
COMPLAINANT	H Crozier
ADVERTISER	WHET Drinking Room
ADVERTISEMENT	WHET Drinking Room, Digital Marketing - Facebook
DATE OF MEETING	24 January 2018
OUTCOME	Upheld in Part / Not Upheld in Part

SUMMARY

The Facebook advertisement for the Whet Drinking Room, www.facebook.com/whetbar, shows pictures of ingredients with the wording “Public Health Message, Gin contains natural ingredients! Of course, every gin is made with a different combination of ingredients, but besides the main berry, juniper, gin can include coriander, sage, cassia, nutmeg, rosemary, and angelica root. It’s like a much more fun version of the paleo diet right? Start your GIN diet today, in time for summer! - Please Share.”

The Complainant raised concerns about the claims made in the advertisement relating to the health benefits of drinking gin.

No response was received from the Advertiser.

The Complaints Board agreed referring to the consumption of alcohol as a summer diet was a low-level health claim, but was still attempting to promote alcohol as a better or more attractive lifestyle choice and the intended humour did not mitigate the breach of Guideline 1(b) of the Code for Advertising and Promotion of Alcohol. The Complaints Board said the advertisement had breached Principle 1 of the Code for Advertising and Promotion of Alcohol and had not been prepared with a high standard of social responsibility.

The Complaints Board agreed the advertisement did not encourage excessive consumption and was therefore not in breach of Principle 2 or Guideline 1(d) of the Code for Advertising and Promotion of Alcohol.

The Complaints Board ruled the complaint was Upheld in Part and Not Upheld in Part.

[Advertisement to be removed]

Please note this headnote does not form part of the Decision.

COMPLAINTS BOARD DECISION

The Chair directed the Complaints Board to consider the advertisement with reference to Principles 1 and 2 and Guidelines 1(b) and 1(d) of the Code for Advertising and Promotion of Alcohol. Principles 1 and 2 required the Complaints Board to consider whether the advertisement was consistent with the need for responsibility and moderation in alcohol

consumption and observed a high standard of social responsibility. Guideline 1(b) said that alcohol advertising and promotions may depict the consumption of alcohol as incidental to a friendly and happy social environment, but should not promote drinking alcohol as a better or more attractive lifestyle choice nor imply that the success of a social occasion depends on the presence or consumption of alcohol. Guideline 1(d) said alcohol promotions shall not suggest it offers any therapeutic benefit.

The Complaints Board ruled the complaint was Upheld in Part and Not Upheld in Part

The Complaint

The Complainant raised concerns about the claims made in the advertisement relating to the health benefits of drinking gin.

The Advertiser Response

No response was received from the Advertiser.

The Complaints Board Discussion

The Chair began by directing the Complaints Board to a precedent decision (17/360) which dealt with a similar style advertisement and said in part:

“The Complaints Board agreed the use of the ‘Public Health Message’ heading in the advertisement also had the potential to mislead some consumers. The Advertiser’s explanation was that this heading was designed to be attention grabbing, however the Complaints Board noted the importance of actual public health messages and expressed concern that using the wording in this context was not responsible. The Complaints Board agreed that heading exacerbated the statement about the health benefits.

The Complaints Board considered the advertisement before it in the context of the limited exposure on the Advertiser’s Facebook page and the series of similar satirical postings. The Complaints Board noted the advertisement also stated ‘Please share’ which was likely to encourage increased exposure to the advertisement over time.

The Complaints Board said that although the satirical nature of the advertisement was likely to be obvious to many consumers, the restriction on making health claims about alcohol in the Code did not allow for the use of humour.”

The Complaints Board agreed the precedent decision directly applied to the complaint before it, and said the advertisement used the Public Health Message heading to claim the consumption of gin could be perceived as a type of diet, similar to the Paleo diet.

The Complaints Board agreed referring to the consumption of alcohol as a summer diet was a low-level health claim, but was still attempting to promote alcohol as a better or more attractive lifestyle choice and the intended humour did not mitigate the breach of Guideline 1(b) of the Advertising and Promotion of Alcohol Code. The Complaints Board said the advertisement had breached Principle 1 of the Code for Advertising and Promotion of Alcohol and had not been prepared with a high standard of social responsibility.

The Complaints Board agreed the advertisement did not encourage excessive consumption and was therefore not in breach of Principle 2 of the Code for Advertising and Promotion of Alcohol. The Complaints Board also said the low-level claim likening the consumption of gin to the Paleo diet did not breach Guideline 1(d) of the Code for Advertising and Promotion of Alcohol as no explicit claims were made that gin could aid weight loss.

Accordingly, the Complaints Board ruled the complaint was Upheld in Part and Not Upheld in Part

DESCRIPTION OF ADVERTISEMENT

The Facebook advertisement for the Whet Drinking Room, www.facebook.com/whetbar, shows pictures of natural ingredients with the wording "Public Health Message, Gin contains natural ingredients! Of course, every gin is made with a different combination of ingredients, but besides the main berry, juniper, gin can include coriander, sage, cassia, nutmeg, rosemary, and angelica root. It's like a much more fun version of the paleo diet right? Start your GIN diet today, in time for summer! - Please Share."

COMPLAINT FROM H CROZIER

Flashing lights with capitalised heading to Facebook post, reading "PUBLIC HEALTH MESSAGE" and the statements that gin contains natural ingredients, which I take no issue with, but then continues on to say "it's much more fun version of the paleo diet... right? Start your GIN diet today, in time for summer!"

and concludes by asking people to share the post.

ad is comparing drinking alcohol to a popular new diet movement/fad, and in doing so, is suggesting that a gin diet would have some health benefit, due to its "natural ingredients"

I understand that the advertiser seems to think that this is a humorous line of advertising to take, but also seems to be completely oblivious to the fact that resellers of alcohol really have a legal and moral obligation to do so in a responsible fashion, showing that they have an understanding of the health implications of drinking alcohol, rather than implying that drinking alcohol has positive health benefits.

CODE FOR ADVERTISING AND PROMOTION OF ALCOHOL

Principle 1 : Alcohol advertising and promotions shall observe a high standard of social responsibility.

Guideline: 1 (b) While alcohol advertising and promotions may depict the consumption of alcohol as incidental to a friendly and happy social environment, it shall not promote drinking alcohol as a better or more attractive lifestyle choice nor imply that the success of a social occasion depends on the presence or consumption of alcohol.

Guideline: 1 (d) Alcohol advertising and promotions shall not depict alcohol as a necessity, nor required for relaxation nor suggest it offers any therapeutic benefit.

Principle 2: Alcohol advertising and promotions shall be consistent with the need for responsibility and moderation in alcohol consumption.

RESPONSE FROM ADVERTISER,

No response was received from the Advertiser.