

COMPLAINT NUMBER	17/441
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 Whet Drinking Room, www.facebook.com/whetbar, states “Keeping wrinkles at bay, full of antioxidants and low on calories! Why wouldn’t you want a glass of this sweet elixir! We know we do, which is why we have over 161 varieties from all around the world on the shelves.” The advertisement also includes a video which lists “5 reasons why you should drink gin. 1) It keeps wrinkles at bay, 2) It’s full of antioxidants, 3) Gin is perfect for cocktails, 4) It’s low on calories and 5) It relieves aching joints.”

The Complainant was concerned the advertisement was making health benefit claims about drinking gin such as it reducing wrinkles, being low in calories and being full of antioxidants.

No response was received from the Advertiser.

The Complaints Board said the advertisement made multiple therapeutic claims the consumption of gin could reduce wrinkles, fight infection, help digestion, relieve aching joints and rheumatoid arthritis and aid those on a diet.

The Complaints Board said the intended humour of advertisement did not save it from breaching Guideline 1(b), Guideline 1(d) and Principle 1 of the Code for Advertising and Promotion of Alcohol.

The Complaints Board agreed the advertisement did not encourage excessive consumption and therefore was not in breach of Principle 2 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 while 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 was concerned the advertisement was making health benefit claims about drinking gin such as it reducing wrinkles, being low in calories and being full of antioxidants.

The Advertiser's 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 advertisement made therapeutic claims about the benefits of Gin and presented them in a factual manner. Despite the Advertiser's response that the claims were not intended to be taken seriously, the Complaints Board said it was possible that some consumers may take the claim at face value.

The Complaints Board said that although the satirical nature of the advertisement was likely to be obvious to many consumers, the restriction on making therapeutic claims about alcohol in the Code did not allow for the use of humour. The Complaints Board agreed there could be consumers who believed the therapeutic claim and the intended humour did not mitigate the breach of Guideline 1(b) of the Advertising and Promotion of Alcohol Code.”

The Complaints Board agreed the precedent decision directly applied to the complaint before it, and said the advertisement made multiple therapeutic claims the consumption of gin could reduce wrinkles, fight infection, help digestion, relieve aching joints and rheumatoid arthritis and aid those on a diet. The Complaints Board said the intended humour of the advertisement did not save it from breaching Guideline 1 (d) of the Code for Advertising and Promotion of Alcohol.

The Complaints Board said the advertisement did promote alcohol as a more attractive lifestyle choice and not been prepared with a high standard of social responsibility and was therefore in breach of Principle 1 and Guideline 1(b) of the Code for Advertising and Promotion of Alcohol.

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

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

DESCRIPTION OF ADVERTISEMENT

The Facebook advertisement for Whet Drinking Room states "Keeping wrinkle at bay, full of antioxidants and low on calories! Why wouldn't you want a glass of this sweet elixir! We know we do, which is why we have over 161 varieties from all around the world on the shelves." The advertisement also includes a video which lists "5 reasons why you should drink gin. 1) It keeps wrinkles at bay, 2) It's full of antioxidants, 3) Gin is perfect for cocktails, 4) It's low on calories and 5) It relieves aching joints"

COMPLAINT FROM H CROZIER

Claims that gin: keeps wrinkles at bay, is full of antioxidants, is low in calories.

Aside from the fact that the sale of liquor act prohibits advertising the health benefits of drinking alcohol, gin is no lower in calories than any other spirit of a similar ABV, is certainly no "full" of antioxidants, and also does not keep wrinkles at bay.

as attached, the comment make by a follower of the WHET facebook page; "more reasons to drink it!" suggests that this is also enticing people to consume more alcohol than if the health claims had not been made. There is also a comment from another follower who tags/links two other people, and says "important medical information"

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