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| COMPLAINT NUMBER | 21/026 |
| COMPLAINT ON BEHALF OF | Alcohol Healthwatch |
| ADVERTISER | DB Breweries Limited |
| ADVERTISEMENT | Tiger Beer, Billboard |
| DATE OF MEETING | 5 February 2021 |
| OUTCOME | Settled – advertisement removed |

Advertisement: The Tiger Beer poster advertisement shows the image of a tattooed woman from behind standing on a balcony looking out onto a city. There is a bottle of Tiger beer beside her. The text says "Tiger Uncage" The advertisement is located at Wellington Street, Auckland, opposite a children's playground.

The Chair ruled the complaint was Settled.

Complaint:

This complaint relates to an alcohol advertisement for Tiger beer on posters located on the side of Rupa's Cafe (formerly Rupa's dairy), at the corner of Wellington St and Napier St in Freeman's Bay, Auckland. The advertisement is located less than five metres from Freeman's Bay Primary School, which is the immediate neighbour on both Wellington St and Napier St, and is the venue for Youthtown School Holiday Programmes. The advertisement faces one of the school playgrounds, and is clearly visible from the playground. Details of the advertisement are appended at the end of this letter. The advertisement was seen on 19 January 2021.

Principle 3 of the Code for Advertising and Promotion of Alcohol states:

Alcohol advertising and promotions shall be directed at adult audiences. Alcohol advertising and promotions shall not be directed at minors nor have strong or evident appeal to minors in particular. This applies to both content and placement.

Given the placement of the advertisement in very close proximity to Freeman's Bay Primary School, we submit that this placement is inconsistent with Principle 3 of the Code for Advertising and Promotion of Alcohol. The placement of the billboard also raises concerns around social responsibility. We refer to recent complaints 20/006, 20/043, 20/223, 20/224, 20/357, and 20/567 as being relevant to this complaint.

We submit that placement of alcohol advertisements in close proximity to schools is inconsistent with a high standard of social responsibility, and ask that the Complaints Board consider whether this advertisement breaches the advertising principles referred to above.

Media Response, Shout Media said in part:

In response to your complaint, we wish to settle. We have already removed the advertisement in question and did so as soon as we realised the proximity to Freeman's Bay School. ...

Shout has used this advertisement in outdoor media and on its social media page. The advertisement is still accessible at other locations in our network until 28th March 2021.

The target for this advertisement was directed at adults. Our booking system specifies all sites that do not meet ASA distances, however this one was booked by mistake and we apologize for this error.

The relevant provisions were Code for Advertising and Promotion of Alcohol - Principle 1, Principle 3;

CODE FOR ADVERTISING AND PROMOTION OF ALCOHOL

Principle 1: Alcohol Advertising and Promotions shall observe a high standard of social responsibility.

Principle 3: Alcohol Advertising and Promotions shall be directed at adult audiences. Alcohol Advertising and Promotions shall not be directed at minors nor have strong or evident appeal to minors in particular. This applies to both content and placement.

The Chair noted the Complainant's concern the alcohol advertisement has been placed near a school.

The Chair accepted the complaints to go before the Complaints Board to consider whether the Advertising Standards Code had been breached. As part of the self-regulatory process, Advertisers and Media have the option of amending or removing their advertising to comply with the Advertising Codes.

Upon receipt of the complaint, the Media acknowledged the error and removed the advertisement.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in removing the advertisement, the Chair said that it would serve no further purpose to place the matter before the Complaints Board.

The Chair ruled that the matter was Settled.

Chair's Ruling: Complaint **Settled – advertisement removed.**

APPEAL INFORMATION

According to the procedures of the Advertising Standards Complaints Board, all decisions are able to be appealed by any party to the complaint. Information on our Appeal process is on our website www.asa.co.nz. Appeals must be made in writing via email or letter within 14 calendar days of receipt of this decision.