

<b>COMPLAINT NUMBER</b>	21/407
<b>ADVERTISER</b>	AF Drinks
<b>ADVERTISEMENT</b>	AF Drinks Radio
<b>DATE OF MEETING</b>	3 September 2021
<b>OUTCOME</b>	Settled

**Advertisement:** The Mike, Stace and Anika show on The Hits includes a segment of content promoted by AF Drinks. The presenters state the flavours and highlight an ingredient called "afterglow" which induces a "buzzy" feeling, "like you're drinking but you're not actually drinking alcohol". A caller then shares personal details of her "sober journey" and wins a shopping spree and some AF Drinks.

**The Chair ruled was Settled.**

**Complaint:** The radio show discussed (via discreet advertorial) about a great new non-alcoholic beverage from AF drinks, and how it still gives a "buzzy" feeling of being drunk and having a great night out.

I think caution needs to be taken with the choice of language and time/placement of this ad to meet the alcohol promotion code. Given that this product is attempting to mimic an alcoholic beverage (and its own website requires verification of 18+ to enter), it is socially irresponsible for promotion of drinking at 6.30pm (whether non-alcoholic or not).

**The relevant provisions were Alcohol and Promotion Advertising Code – Principle 1, Principle 2, Rule 1(a) Rule 2(b)**

**The Chair** noted the complainant was concerned the advertisement was not socially responsible in terms of its timing and placement and its content .

The Chair acknowledged the Advertiser had removed the advertisement after receiving the complaint and noted its response:

“We would like to settle this complaint. Please note that the ‘ad’ referred to was an ad-lib by the radio hosts, not a produced advertisement and therefore was a once-off announcement. This was around a specific promotion for Dry July and there are no ongoing promotional or advertising arrangements with this radio network.”

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

The Chair ruled the matter was Settled

**Chair’s Ruling:** Complaint **Settled**

#### **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](http://www.asa.co.nz). Appeals must be made in writing with notification of the intent to appeal lodged within 14 calendar days of receipt of the written decision. The substantive appeal application must be lodged with the ASA within 21 calendar days of receipt of the written decision.