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| COMPLAINT NUMBER | 21/393 |
| ADVERTISER | Frucor Beverages Ltd |
| ADVERTISEMENT | V Energy Drink Television |
| DATE OF MEETING | 2 November 2021 |
| OUTCOME | No Grounds to Proceed |

Advertisement: The television advertisement for V Energy drink showed four cartoon bugs travelling in a van with the number plate, "2GR33N", drinking V Energy drinks and singing "Wake Me Up Before You Go-Go". The singing stops abruptly when a butterfly hits the front windscreen. The driver says "that's unfortunate" and uses the windscreen wipers to remove the butterfly. The bugs then resume their singing. The advertisement ends with the V Energy logo and the text "Can you fееeel it".

The Chair ruled there were no grounds for the complaint to proceed.

Complaint: I'd like to complain about the v Energy Drink commercial, specifically the number plate on the VW beetle van that the bugs are driving which reads "2GR33N" which is a direct reference to marijuana. "33" is urban language/slang for marijuana, and so is 'green'

The relevant provisions were Advertising Standards Code - Principle 1, Rule 1(c)

Principle 1: Social Responsibility: Advertisements must be prepared and placed with a due sense of social responsibility to consumers and to society.

Rule 1(c) Decency and Offensiveness: Advertisements must not contain anything that is indecent, or exploitative, or degrading, or likely to cause harm, or serious or widespread offence, or give rise to hostility, contempt, abuse or ridicule.

The Chair noted the Complainant was concerned the advertisement contained visual references to marijuana which was offensive.

The Chair noted the one second image of the number plate in the advertisement was shown as the cartoon green coloured Kombi Van pulled out of the petrol station. The Chair said the likely consumer takeout of the brief image of the number plate was it was a reference to the green-coloured can of the V Energy drink promoted in the advertisement.

Rule 1(c) of the Advertising Standards Code required the Chair to consider whether the advertisement was likely to cause harm, or serious or widespread offence, in light of generally prevailing community standards. The Chair said the reference to "2GR33N" did not meet the threshold to be likely to cause harm or serious or widespread offence in the context of the advertisement for V Energy drink.

The Chair said the advertisement had been prepared with the due sense of social responsibility required and said it was not in breach of Principle 1 or Rule 1(c) of the Advertising Standards Code.

The Chair ruled there were no grounds for the complaint to proceed.

Chair's Ruling: Complaint **No Grounds to Proceed**

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 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.