

COMPLAINT NUMBER	22/159
COMPLAINT ON BEHALF OF	Alcohol Health Watch
ADVERTISER	AWN By The Brothers Ltd
ADVERTISEMENT	@shaun_johnson90 Instagram
DATE OF MEETING	17 June 2022
OUTCOME	Settled

Advertisement: The Instagram account for Shaun Johnson (@shaun_johnson90) promotes the brand 'AWN' in his bio, stating the name and the company URL, www.awn.co.nz.

The Chair ruled the Complaint was Settled.

Complaint: This complaint relates to advertisements on Shaun Johnson's Instagram page, for his Ready-To Drink (RTD) alcohol brand 'Awn'. These advertisements were viewed on 24 May, 2022. Johnson is a player for the Vodafone Warriors, a (traditionally) New Zealand-based team in the NRL rugby league competition. Johnson is frequently in the media and maintains an active and popular presence on social media. Johnson is a shareholder in a company called AWN BY THE BROTHERS LTD. Johnson's instagram bio identifies him as an athlete, includes a link to the website www.awn.co.nz, and his profile picture is the Awn logo.

There is no information that identifies Awn as an alcoholic drink. The Awn website sells alcohol directly and includes an age gate that does not require a date of birth to be entered. His Instagram page is not age-gated, with his alcohol website and alcohol branding prominently displayed. Under the previous Code for Advertising and Promotion of Alcohol, Johnson would have qualified as a hero of the young, by virtue of his membership of the Vodafone Warriors Rugby League team.

Under the Principle 1 of the Alcohol Advertising and Promotion Code, Alcohol Advertising and Promotion must be "prepared and placed with a high standard of social responsibility to consumers and society." Guidelines included under Principle 1 state that Individuals, groups or teams, including, but not limited to: cultural and sporting heroes or icons, celebrities and social media influencers that are currently popular with Minors, and/or have particular appeal to Minors, may only be used in Alcohol Advertising and Promotion that is: i. placed in media where appropriate tools are used to select Adult audiences and/or access to the advertising and promotion is restricted to Adults only.

We submit that Johnson is, as an individual and as a team member of the Vodafone Warriors, a cultural and sporting hero, celebrity, and social media influencer that is currently popular with minors and has a particular appeal to minors.

We submit that Johnson is advertising the Awn alcohol brand in media where access to the advertising and promotion is not restricted to adults only. We ask the ASA Complaints Board

to consider whether Johnson's advertising of the Awn alcohol brand breaches the Alcohol Advertising and Promotion Code

The relevant provisions were Principle 1- Social Responsibility, Rule 1(a) - Targeting Adults -Timing and Placement, Rule 1(b) - Targeting Adults - Content

The Chair noted the Complainant was concerned that Shaun Johnson who is a current Rugby League player is promoting his own alcohol brand, Awn on his personal Instagram account.

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 Advertiser removed any Awn content from the Instagram account of Shaun Johnson.

Given the Advertiser's co-operative engagement with the process and the self-regulatory action taken in removing the link to Alcohol brand, 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. 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.