

Alcohol Advertising Review Board

Determination Report

Reference number: 811/19
Product: Rekorderlig Cider
Advertiser: Coca-Cola Amatil

The complaint is **upheld**.

16 December 2019

This determination by the Alcohol Advertising Review Board Panel (“the Panel”) concerns an advertisement for Rekorderlig Cider by Coca-Cola Amatil which was the subject of a complaint received on 28 October 2019.

The Advertisement

The advertisement was seen on a bus stop on Rose Street in Essendon, Victoria, on 23 October 2019.

The advertisement featured a close up image of a woman’s hand holding an open bottle of Rekorderlig Cider. There was a slice of lime in the top of the bottle. In the background was a beach with three women sitting on the ground in front of the water. Text underneath the bottle stated “FOR LONG SUMMER DAYS” and “WHO ELSE BUT REKORDERLIG”. There was a Rekorderlig Cider logo at the top of the advertisement and a Drinkwise logo along the bottom of the advertisement.

The Complaint

The complainant believes the advertisement contravenes the Code. The complainant stated:

“Rekorderlig Cider

Advertising panel on bus stop shelter

Rose Street, Essendon (Vic) near the entrance to Essendon station. 23 October 2019

The advertisement is a picture of several young people at a beachside location, with the caption 'For long summer days - who else but Rekorderlig'

The bus stop location of the advertisement is adjacent to Essendon Railway Station, a major public transport hub for students attending the local schools. There are at least 3 large schools in the local area and many school age children would be exposed to this advertisement on their way to and from school each day. Young people would also relate easily to the theme of the ad, spending a hot day at the beach. Two of the schools are within 500m of the bus stop. Given the high usage of the bus and train services by students, the location of the advertisement is totally inappropriate, and breaches the code section 4a (content) and 7 (placement).”

The Code

The advertisement was reviewed against the Code, and in particular:

Section (4)(a)(i)(1) of the Content Code:

4. Alcohol-specific provisions:

a. Young people

i. Alcohol Advertisements shall not:

1. be directed at, or have a strong or evident appeal to, Young People

Section (6) of the Placement Code:

6. Outdoor

Alcohol Advertisements are not permitted within 500m of schools.

This provision does not apply to Alcohol Advertisements that are on premises licensed to sell Alcoholic Beverages.

Section (7) of the Placement Code:

7. Transport advertising

No Alcohol Advertisements shall be placed on any means of public transport.

No Alcohol Advertisements shall be placed at any train, tram, bus or ferry stops.

The Advertiser's Comments

The Advertiser was contacted for comment on 1 November 2019. The following response was received on 20 November and passed on to the Panel for consideration:

"Thank you for your email on 1 November 2019 that brought to our attention a complaint regarding a Rekorderlig Cider advertisement at a bus stop in Essendon, Victoria.

We would like to start by confirming that Coca-Cola Amatil is committed to promoting a culture of responsible drinking, which includes ensuring our brands are marketed within the guidelines specified by the Alcohol Beverages Advertising Code (**ABAC Code**) and comply with the Coca-Cola Amatil Group Alcohol Advertising and Marketing Standards.

As such, we have reviewed the concerns raised by the complainant and submit our responses below.

- In relation to responsibility towards minors, we can confirm that the bus stop advertisement in question received Alcohol Advertising Pre-vetting Service Approval (Pre-vetting), which is mandatory under the requirements of the ABAC Code.
- In relation to placement, we can confirm that advertisement is compliant with the Outdoor Media Authority policy which "requires all members to ensure alcohol advertising is not placed on fixed signs that are located within a 150 metre sight line of a primary or secondary school. This generally relates to any access gates to the school."

We can therefore confirm that this advertisement is compliant with the requirements of the ABAC Code, including:

- the relevant placement requirements in the ABAC Code, which includes compliance with the requirement that “a Marketing Communication must comply with codes regulating the placement of alcohol marketing that have been published by Australian media industry bodies (for example, Commercial Television Industry Code of Practice and Outdoor Media Association Alcohol Guidelines)”, and
- the requirements in the ABAC Code relating to responsibility toward minors, which includes compliance with the requirement that “a Marketing Communication must NOT (i) have Strong or Evident Appeal to Minors”.

We thank you for bringing this to our attention and trust our response addresses your concerns.”

Panel’s determination

The complaint was referred to three Panel members for review. The Panel determined:

1. The advertisement contravened section (4)(a)(i)(1) of the Content Code, on the basis that the advertisement would have appeal to young people. A Panel member commented that the advertisement features an image of people who could be under 25 years of age and would be easily relatable to young people. Several Panel members commented that the beach setting in the advertisement would also appeal to young people.
2. The advertisement contravened section (6) and (7) of the Placement Code, on the basis that the advertisement was placed on a bus stop within 500m of a school.

The complaint is **upheld**.

Further action

The Alcohol Advertising Review Board requests the Advertiser amend the advertisement in line with the Panel’s concerns, and cease the placement of alcohol advertisements within a close proximity to schools due to the likely exposure of young people.