

**Alcohol Advertising Review Board**

**Determination Report**

**Reference number:** 807/19  
**Product:** 1989 Arcade Bar  
**Advertiser:** 1989 Arcade Bar

The complaint is **upheld**.

**8 November 2019**

This determination by the Alcohol Advertising Review Board Panel ("the Panel") concerns an advertisement for 1989 Arcade Bar by 1989 Arcade Bar, which was the subject of a complaint received on 7 October 2019.

**The Advertisement**

The advertisement was seen at the front of 1989 Arcade Bar on Monday 7 October 2019. An image of the advertisement provided by the complainant showed a chalkboard on the steps to the 1989 Arcade Bar. The chalkboard included the following text:

"Happy Hour  
5-7pm  
Cheap Booze  
\$5 Resch's  
\$7 Wines  
\$10 Espresso Martinis"

**The Complaint**

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

"Chalk board at the front store, clearly visible from the street (King St Newtown). Monday 7th October, 7.10pm, at the entrance at the 1989 Arcade Bar.

Please see attached photo. The headline is "Cheap booze".

It is irresponsible to advertise alcohol in this manner. The wording "cheap booze" is likely to encourage over-consumption and it contravenes the AARB Code requirement for ads to "be prepared with a sense of responsibility to the audience and to society". In addition, the sign is placed where children and young people can clearly see it as they walk down the busy street."

**The Code**

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

Section (3)(a)(i) of the Content Code:

General provisions:

- a. Compliance
  - i. Alcohol Advertisements must be prepared with a sense of responsibility to the audience and to society and must reflect the spirit, not merely the letter, of the Code.

### **The Advertiser's Comments**

The advertiser was contacted for comment on 11 October 2019. The following response was received on 14 October 2019 and passed on to the Panel for consideration:

"Thank you for making me aware of the complaint regarding our sandwich board which advertises our happy hour. The board is outside the premises at 22-24 King Street, Newtown, Sydney, NSW from Monday to Friday from 5pm to 7pm which co-relates to our happy hour prices.

We are a young business (the bar has been operating for just over two years and is my first hospitality business in Australia - I am from the UK) and as such I do make stupid mistakes like this. Please find attached a photo of the board in its current state. We have removed the "Cheap Booze" section until we can get an artist to repaint the entire sandwich board (which will just advertise the prices and will not state "Cheap Booze" or anything in relation to this). Please note the other side of the sandwich board is a notice we use when we are over capacity to stop patrons from entering the venue. I can send a photo of the other side if needed for the review.

I will review the AARB guidelines thoroughly to ensure all future 1989 Arcade Bar advertisements are within the guidelines.

I would like to make the board aware that 1989 Arcade Bar adheres by strict RSA guidelines to the service of alcohol. I understand the worries brought up in the complaint but we do not advertise to children as they are simply not our target audience as they are under the age of 18. As a pop-culture venue we do look for more interesting 'tongue in cheek' ways to advertise and this was a step in the wrong direction. We are aware of our responsibilities serving alcohol and have a good reputation within Newtown. I feel very foolish having this sandwich board tarnish that reputation.

Please feel free to contact me on the number below should the board wish to speak to me directly or have any questions during the review.

I hope the board accepts my apology as I truly am sorry. I also feel incredibly stupid at this oversight on my behalf and it won't happen again."

The attached image featured the modified chalkboard with the text 'cheap booze' wiped out. The chalkboard featured the text:

“Happy Hour  
5-7pm

\$5 Resch’s  
\$7 Wines  
\$10 Espresso Martinis”

### **Panel’s determination**

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

1. The advertisement contravened section (3)(a)(i) of the Content Code, on the basis that it was not prepared with a sense of responsibility to audience and society. A Panel member commented that the phrase “Cheap Booze” has clear connotations with bingeing and irresponsible drinking.

All three Panel members were encouraged by the Advertiser’s response to the complaint and commended them for taking swift action to modify the advertisement.

The complaint is **upheld**.

### **Further action**

The Alcohol Advertising Review Board commends the Advertiser for the prompt response. It is pleasing to see the Advertiser taking action in response to the complainant’s concerns, and the Alcohol Advertising Review Board commends the Advertiser for using the Code to ensure their future advertising practices are appropriate.