

Alcohol Advertising Review Board

Determination Report

Reference number: 767/19
Product: Melbourne Beer Fest
Advertiser: Melbourne Beer Fest

The complaint is **upheld**.

22 May 2019

This determination by the Alcohol Advertising Review Board Panel (“the Panel”) concerns an advertisement for Melbourne Beer Fest which was the subject of a complaint received on 18 March 2019.

The Advertisement

The complaint was in relation to the Melbourne Beer Fest, including the official website <https://melbourne.beerfestivals.com.au/>. An image on the homepage of the website featured a photo of two young women. Text over the top of the photo stated “FAMILY AND BEER”.

The Complaint

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

“Melbourne Beer Fest
Radio, Local Newspaper and Website
360 INKERMAN STREET
<https://melbourne.beerfestivals.com.au/>
Promoted as a family beer day Food and Beer, Family and Beer etc. Provided free entry for children under 14 years of age
I don’t see how promoters can make a claim of Alcohol/Beer bringing families together, evidence shows alcohol is linked to violence and domestic abuse not a family experience. Also allowing children free entry is not appropriate.
Also breached Local Council Policy, Ban on Alcohol on Beach areas including the area where this festival took place
Ban has existed through summer from 1st Nov to 31st March each year for several years this policy has been in place.
Also Police officers were assaulted 6 days earlier due to Alcohol fuelled violence
I hope this doesn’t become an annual event”

The Code

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

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

3. 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.

Section (4)(a)(ii) of the Content Code:

4. Alcohol-specific provisions:

a. Young people

- ii. Adults appearing in Alcohol Advertisements must be over 25 years of age and be clearly depicted as adults of this age.

The Advertiser's Comments

The Advertiser was contacted for comment on 21 March 2019. The following response was received on Thursday 28 March 2019 and passed on to the Panel for consideration:

"In response to the complaint, I have attached the following;

- **Event Permit from Port Phillip Council with authority to host the event.**
 - The complainant has made a claim that we "breached Local Council Policy, Ban on Alcohol on Beach areas including the area where this festival took place" This is false, as we had authority from Council, Government and Police to hold the festival at Catani Gardens. It is worth noting that the event has been held at that location annually since 2016 (4 years conservatively).
- **Liquor Licence**
 - Which highlights alcohol conditions put on the event. Our policy is also that only juveniles accompanied and supervised by a responsible adult as defined by the Liquor Control Act are permitted to enter and remain on the licensed premises.
- **User Pays agreement with Victoria Police.**
 - This is an agreement where the event organisers pay for Police to attend to ensure a safe and a family friendly environment.
- **An extract from our Marketing Strategy**
 - Which highlights the relevance of families in this industry.

Some background on BeerFest Australia

- BeerFest Australia is a family run business with its entire team being made up of immediate family and extended family. (a photo is attached of myself with my children that attended the festival and my family, who are part of our team.)
- We launched our Beer Festival brand in 2011 and have delivered over 20 festivals across Victoria, Tasmania, Western Australia and New South Wales.
- Our festival model has been consistent across all festivals since 2011. We showcase Australia's best producers in beer, cider and gourmet food

- Our festivals are sophisticated and our audience is well behaved.
- Our focus is not just on Australia's best producers we also provide the following at the festivals
 - Comedy Marquee
 - Brewing Seminars
 - Circus Performers
 - Children's activities such as: Jumping Castles, Facepainting, Kids Comedy, Puppet Shows, Carnival Rides, Ferris Wheel
- In our entire history of festivals and events, we have had ZERO incidents that involved juveniles. Our events are fun for the whole family.

Thanks for taking the time to read through the documents.

Please let me know if there is anything else you need from us.”

The emphasis was added by the Advertiser.

Panel's determination

The complaint was referred to three Panel members for review. The Panel reviewed the website and determined:

1. The advertisement contravened section (3)(a)(i) of the Content Code, on the basis that the majority of the Panel believed that the linking of beer and family is undesirable, as it normalises the consumption of alcohol. A Panel member commented that although the advertisement may have been well intentioned and reflects the advertiser's own personal experiences, it is not responsible to closely connect alcohol and children.
2. The advertisement contravened section (4)(a)(ii) of the Content Code, on the basis that the majority of the Panel believed the 'Family and beer' image featured someone who appeared to be under the age of 25. A Panel member commented that there were several images of children on the website, including an image of a family with a young child, and another with a child with face painting. They also noted that responsible drinking is an activity for adults, so it's not appropriate to promote beer-themed experiences using images of children and adolescents below the legal purchase age.

The complaint is **upheld**.

Further action

The Alcohol Advertising Review Board requests the Advertiser remove the images of children from their website.