

Alcohol Advertising Review Board

Determination Report

Reference number: 777/19
Product: Furphy beer
Advertiser: Lion

The complaint is **upheld in part**.

21 May 2019

This determination by the Alcohol Advertising Review Board Panel (“the Panel”) concerns an advertisement for Furphy beer by Lion which was the subject of a complaint received on 29 April 2019.

The Advertisement

The advertisement was seen near the ticket machines at the Epping Railway Station in Sydney, NSW on 29 April 2019.

The advertisement featured an image of a bottle of Furphy Refreshing Ale. Large text above the bottles stated “BREWED WITH THE WINDOWS OPEN FOR MORE REFRESHMENT”. Text in the bottom left corner stated “WHAT THE FURPHY?”.

The Complaint

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

“Furphy beer

Billboard

Epping Nsw railway station near the ticket machines on 29 April 2019

A picture of the bottle and the words "Brewed with the windows open for more refreshment"

It is on a railway concourse near ticket machines and vending machines at a very busy rail interchange. Everyone going to the station including many school children and those passing through to catch buses walk passed this area.

The "fun" nature of the wording on the billboard would catch the eye and appeal to young people.”

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 (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 29 April 2019. No response was received.

Panel's determination

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

1. The advertisement did not contravene section (4)(a)(i)(1) of the Content Code, on the basis that the majority of the Panel did not believe it would have strong appeal to young people. One Panel member believed that the question 'What the Furphy?' posed at the bottom of the advertisement would have appeal to young people. However, the majority of the Panel did not believe the wording or the advertisement would have strong appeal to young people.
2. The advertisement contravened section (7) of the Placement Code, on the basis that the advertisement was placed at a train station.

A Panel member further commented that while they did not believe the ad included imagery or content that would have obvious appeal to young people, the placement of the advertisement in a public place regularly frequented by children normalises alcohol consumption.

The complaint is **upheld in part**.

Further action

The Alcohol Advertising Review Board requests the Advertiser cease using public transport-related locations to advertise their products due to likely exposure of young people.