

BEFORE THE BROADCASTING STANDARDS AUTHORITY

Decision No: 32/93

Dated the 1st day of April 1993

IN THE MATTER of the Broadcasting Act 1989

AND

IN THE MATTER of a complaint by

GROUP OPPOSED TO  
ADVERTISING OF LIQUOR  
of Hamilton

Broadcaster  
TV3 NETWORK SERVICES  
LIMITED

I.W. Gallaway Chairperson  
J.R. Morris  
R.A. Barraclough  
L.M. Dawson

DECISION

Introduction

An advertisement for Jim Beam whiskey broadcast on TV3 at 11.30pm on 3 November 1992 portrayed a purchaser in a bar complaining that the drink which he had bought was not, as claimed, Jim Beam whiskey.

The Secretary of the Group Opposed to Advertising of Liquor (GOAL), Mr Turner, complained to TV3 Network Services Ltd that the advertisement breached the liquor advertising rule which prohibits exaggerated stereotyped masculine images.

Denying that the man portrayed was an exaggerated masculine stereotype, TV3 declined to uphold the complaint. Dissatisfied with TV3's response, Mr Turner on GOAL's behalf referred the complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

Decision

The members of the Authority have viewed the advertisement complained about and have read the correspondence (summarised in the Appendix). As is its practice, the



Authority has determined the complaint without a formal hearing.

The Secretary of GOAL (Mr Cliff Turner) alleged that the principal character in an advertisement for Jim Beam whiskey was portrayed in a macho manner. Accordingly, he continued, the advertisement breached Rule A of the Schedule to the Liquor Advertising Rules for Radio and Television which reads in part:

- A. Liquor advertisements and sponsorship advertisements by liquor advertisers (individuals or companies which make, market or sell liquor) shall not (i) employ aggressive themes; and (ii) shall not portray either competitive behaviour or exaggerated stereotyped masculine images in an overly dramatic manner.

Mr Turner referred in particular to the shot of the man pouring his drink onto the floor which he argued was an overly dramatic gesture.

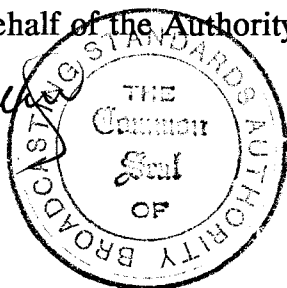
In response, TV3 denied that pouring the drink into another glass - not onto the floor - was overly dramatic behaviour and, further, the character was not portrayed as an exaggerated masculine stereotype.

In the Authority's view, the man was portrayed as assertive and could be considered to fall within the stereotype of a handsome male. He was also depicted as being calm while taking part in the behaviour - emptying his glass because he was dissatisfied - which in other circumstances might have been offensive. However, as his behaviour was not overly dramatic and as his image could not be described as an exaggerated male stereotype, the Authority unanimously agreed that the broadcast did not contravene Rule A of the Schedule to the Liquor Advertising rules.

**For the reasons set forth above, the Authority declines to uphold the complaint.**

Signed for and on behalf of the Authority

  
Iain Gallaway  
Chairperson



1 April 1993

## Appendix

### GOAL's Complaint to TV3 Network Services Limited

In a letter dated 4 November 1992, the Secretary of the Group Opposed to Advertising of Liquor (GOAL), Mr Turner, complained to TV3 Network Services Ltd about an advertisement for Jim Beam whiskey broadcast at 11.50pm on 3 November.

GOAL maintained that the portrayal of the young man who asked for Jim Beam was an exaggerated stereotyped masculine image and thus breached Rule A of the Schedule to the Liquor Advertising Rules.

### TV3's Response to the Formal Complaint

TV3 advised GOAL of its Complaints Committee's decision in a letter dated 25 January 1993. As the man was typical of men in New Zealand bars and elsewhere, TV3 stated, the complaint was not upheld.

### GOAL's Complaint to the Broadcasting Standards Authority

Dissatisfied with TV3's response, in a letter dated 2 February 1993 Mr Turner on GOAL's behalf referred the complaint to the Broadcasting Standards Authority under s.8(a) of the Broadcasting Act 1989.

He said that the man, who poured his drink onto the floor as he was not served Jim Beam whiskey as requested, was portrayed as macho in an overly dramatic way. Referring to his wide experience in bars world-wide, Mr Turner said that he had never seen a man pour his drink deliberately onto the floor.

### TV3's Response to the Authority

As is its practice, the Authority sought the broadcaster's response to the complaint. Its letter is dated 4 February 1993 and TV3, in its response dated 10 February, pointed out that the commercial's sound-track made it clear that the drink was being poured into another glass - not onto the floor. TV3 denied that the man featured was behaving in an overly dramatic manner or as an exaggerated masculine stereotype.

### GOAL's Final Comment to the Authority

When asked for a final comment on TV3's response, Mr Turner on GOAL's behalf accepted that the drink was not being poured onto the floor and made no further comment.

