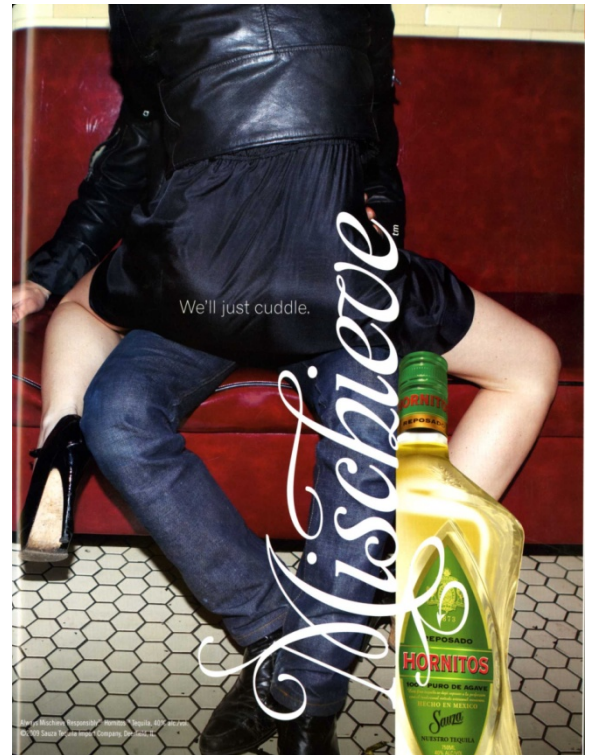


Advertisement: Sauza Hornitos tequila advertisement

Advertiser: Beam Global Wine & Spirits, Inc.
(DISCUS Member)

Complainant: Industry member

Complaint Summary: The complainant believes that the advertisement runs afoul of Responsible Content Provision Nos. 23 and 27 of the DISCUS Code, which provide respectively that, “[b]everage alcohol advertising and marketing materials should reflect generally accepted contemporary standards of good taste;” and “beverage alcohol advertising and marketing should not rely upon sexual prowess or sexual success as a selling point for the brand.”



The complainant states that the advertisement runs afoul of Responsible Content Provision No. 23 in that the main visual of the advertisement is a woman straddling a man and runs afoul of Responsible Content Provision No. 27 in that the image depicted in this advertisement, combined with the tagline “We’ll just cuddle,” is suggestive of something else and communicates that drinking this product will lead to sexual success going beyond an amorous gesture.

Code Review Board Decision: In responding to the complaint, the advertiser stated that both models in the advertisement were fully clothed so no nudity was depicted and that the intent of the advertising execution was to depict a modern, contemporary scene that could happen in a bar setting. The image in the advertisement was intended to depict contemporary, playful, and spontaneous affection. The creative statement “[w]e’ll just cuddle” does not suggest sexual prowess, but was chosen as an affirmative, literal statement to describe the scene. The advertiser also stated that no overt sexual activity or promiscuity was depicted in the advertisement, nor did it reflect sexual or lewd images.

After careful deliberation, the Code Review Board found that the advertising execution depicting a woman straddling a man with the tagline “[w]e’ll just cuddle” and the visual depicting a woman

straddling a man standing alone violated Responsible Content Provision No. 23 of the DISCUS Code. In the Board’s view, the tagline “[w]e’ll just cuddle” ran afoul of generally accepted contemporary standards of good taste in that the use of the word “just” in that tagline in conjunction with the visual was viewed to be a prelude to something more than “just cuddling.”

Further, the Board found that a “cuddle” is not having one model straddling another and, in that regard, the position of the models was viewed as sexual in nature abridging good taste, though no overt sexual activity is depicted. The Code Review Board also found that the advertisement violated Responsible Content Provision No. 27 because the positioning of the models suggests sexual prowess, though no nudity was depicted.

The advertiser did not agree with the Board’s analysis or decision; notwithstanding this disagreement, the advertiser is a strong supporter of the spirit and intent of the Code and its review process.

Action by Advertiser:

The advertiser immediately took steps to pull the advertisement in question and the one other advertisement using the same visual depicting a woman straddling a man and discontinued the Sauza tequila advertising executions subject to the complaint. The advertiser stated that this advertising execution had been placed in some trade publications that already had been printed and, for those publications where it may be possible to remove the execution, the advertiser will take all steps to do so forthwith.



Status:

Resolved: Responsive action taken