

Advertisement: UV Vodka “Hunger Games Inspired Cocktails” Marketing Materials

Advertiser: United States Distilled Products Co.

Complainant: Private Citizen

Complaint Summary: The complainant believes that the marketing materials for UV Vodka “Hunger Games Inspired Cocktails” violate Responsible Content



Provision No. 2, which provides that “[t]he content of beverage alcohol advertising and marketing materials should not primarily appeal to individuals below the legal purchase age.” The complainant notes that “[t]he Hunger Games franchise is clearly identified as a young adult property and the movie is rated PG-13.”

The complainant states that the advertiser “is promoting cocktails tied into a youth focused franchise and is using a vodka (Sugar Crush) which is already something which is not easily identifiable as being an adult product and in itself violates [Responsible Content Provision No. 2] as cartoon candy directly appeals to individuals below the legal purchase age.”

Code Review Board Decision:

In responding to the complaint, the advertiser stated that, “[i]n this specific instance, an unfortunate oversight occurred when our public relations agency issued a media pitch connected to the Hunger Games movie franchise. Given the Hunger Games’ film’s appeal to many

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 Date: Tue, Nov 4, 2014 at 1:10 PM
 Subject: May UV Vodka Be Ever in Your Flavor – Hunger Games Inspired Cocktails

Get your bow ready because **The Hunger Games: Mockingjay** hits theaters on November 21st and Katniss Everdeen won't be taking any prisoners! There's no better way to celebrate the opening of this highly anticipated movie than with [UV Vodka's](#) Hunger Games inspired cocktails.

So whether you're #TeamPeeta or #TeamGale, UV Vodka has over 20 innovative, first-to-market flavors ranging from [UV Sriracha](#) to [UV Sugar Crush](#) that everyone can agree to love. **Try a few of our recipes below, perfect for any tribute.**

If you are interested in learning more about UV Vodka, would like high-res images, product samples or additional recipes sent to you, please do not hesitate to ask. May the odds be ever in your favor,

HUNGER GAMES INSPIRED COCKTAIL RECIPES

The Nightlock Sleeper
 1 part [UV Sugar Crush](#)
 1 part pomegranate juice
 1 part club soda

Mockingjay Bloody
 2 parts [UV Sriracha](#)
 2 parts tomato juice
 1 part celery salt
 1 part tabasco sauce
 1 part worcestershire sauce

District 13
 1 part [UV Blue](#)
 1 part crema de cacao
 1 part triple sec
 1 part lime juice





ages across several demographics, our firm inadvertently did not connect the pitch to underage drinking. Our firm is well aware of DISCUS guidelines, and at no time meant to imply or connect the UV brand to anything having to do with underage consumers...and pitching ceased upon the very first communication we received expressing concern...In addition, our firm has assured us that they will take extra precautions moving forward to ensure all external communications are thoroughly reviewed against compliance rules so this does not happen again.”

In response to the second component of the complaint that UV Sugar Crush violates Responsible Content Provision No. 2, the advertiser stated that “[o]ur UV Vodka and flavored vodka line is developed primarily for a 21-30 year old female audience. Our fiercely loyal fan base consistently requests sweet, fruity and confectionary flavored vodkas, and we created Sugar Crush based on their strong and positive feedback to a flavor that tied the nostalgia of candy with pop culture.”

The advertiser further stated that “Sugar Crush tested favorably with our millennial target, and our use of bright colors is reflective of what they shared they love when they talked about the ‘grown-up’ retail candy trend in shops such as Dylan’s Candy Bar and Sugar Factory.”

After careful consideration of the complaint and the advertiser’s response, the Code Review Board found that, regarding the first component of the complaint, the marketing materials for UV Vodka’s “Hunger Games Inspired Cocktails” violated Responsible Content Provision No. 2 of the Code, which provides that “[t]he content of beverage alcohol advertising and marketing materials should not primarily appeal to individuals below the legal purchase age.” As set forth in the Code, “[a]dvertising or marketing material is considered to ‘primarily appeal’ to persons below the legal purchase age if it has special attractiveness to such persons beyond the general attractiveness it has for persons of legal purchase age.”

In reviewing available information regarding the “Hunger Games” properties, the Board concluded that UV’s marketing materials integrating the “Hunger Games” ran afoul of this provision of the Code since the “Hunger Games” properties primarily appeal to individuals under the legal purchase age. For example, the multi-million selling children’s author of the “Hunger Games” trilogy, Ms. Suzanne Collins, stated in an interview with Scholastic that “[w]henever I write a story, I hope it appeals to both boys and girls.” (The complainant referenced the Hunger Games “Mockingjay” movie as the basis for the complaint; however, since the materials in question were not a product placement that reference is not germane.)

Scholastic Press published The Hunger Games series and, according to the “About Scholastic” webpage, “Clifford the Big Red Dog®, The Magic School Bus®, Goosebumps®, Harry Potter®, I SPY™, and The Hunger Games are all Scholastic favorites that have helped

inspire a love of literacy and learning in children throughout the world, delivered to kids and families where they live and play through print, audio, television, film and digital applications.”

Scholastic Press is the largest publisher and distributor of children’s books in the world and Scholastic’s corporate mission “is to encourage the intellectual and personal growth of all children, beginning with literacy.” The Code Review Board also noted in reaching its conclusion that Scholastic issued a Teacher’s discussion guide for The Hunger Games along with discussion questions, a word hunt, a trivia challenge, and a crossword puzzle for The Hunger Games trilogy.

Regarding the second component of the complaint that UV Sugar Crush violates Responsible Content Provision No. 2, the Code Review Board did not find a violation of this Code provision. The Board considered the neck label in conjunction and combination with the trade dress/packaging of the product as a whole in concluding that the product does not primarily appeal to individuals below the legal purchase age. In that regard, the Board noted the graphic design on the neck label depicting brightly colored swirls and shapes appearing to be confectionery and also noted that adjacent to this design the statement “PRODUCED WITH VODKA FOUR TIMES DISTILLED” on that neck label.

In reaching their conclusion, the Board found no advertising and/or marketing directed to individuals below the legal purchase age associated with or using the trade dress/packaging of the product, nor was the bottle design used in a manner directed to underage individuals in any advertising or marketing materials. The Board noted, however, that particular care should be given for any associated advertising materials where a product may be perceived to hold particular appeal to those under the legal purchase age.

Action by Advertiser:

The advertiser immediately withdrew and ceased the “Hunger Games Inspired Cocktails” promotion. In addition, the advertiser instituted proactive measures to ensure all external communications thoroughly are reviewed against the Code provisions.

Status:

Resolved: Responsive action taken