

**Advertisement:**

Dahak Vodka advertising materials

**Advertiser:**

Dahak Spirits Company (Non-Council member)

**Complainant:**

Third-party organization  
Alexandria, Virginia

**Complaint Summary:**

The complainant believes that the advertisements described below associated with Dahak Vodka run afoul of Responsible Content Provision Nos. 27, 25, 24, and 23 of the Council's Code.

**Advertisement No. 1**



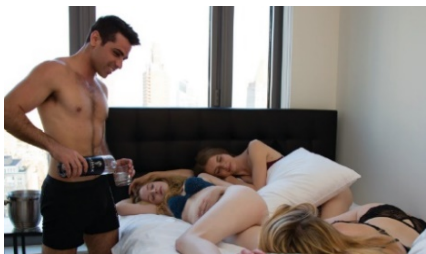
Regarding Advertisement No. 1, the complainant believes this execution violates Responsible Content Provision Nos. 27, 25, 24, and 23. Specifically, the complainant states that “[t]he photos of women in a bra and panties with a man in a bed with a bottle of Dahak is sexually suggestive and gives an impression that the product will help accomplish such a conquest.” The complainant also points to the text of the advertisement relaying “[e]very good morning begins with a Dahak night,” and that the execution is degrading to women and contrary to contemporary standards of good taste.

**Advertisement No. 2**



Regarding Advertisement No. 2, the complainant states that this execution violates Responsible Content Provision No. 23, with “the image of a man at an athletic field looking at a shot glass and a bottle of Dahak there, suggesting what?”

**Advertisement No. 3**



Regarding Advertisement No. 3, the complainant believes that this execution runs afoul of Responsible Content Provision Nos. 27, 25, 24, and 23. In that regard, the complainant points to the image showing “a man pouring himself some Dahak as three women lay in bed asleep. He is looking and smiling at the bottle of Dahak giving the impression that because of this spirit, he has been able to satisfy the sexual appetites of these three women and that because of Dahak he had the stamina to be with three women.”

#### Advertisement No. 4



#### Advertisement No. 5



Regarding Advertisements Nos. 4 and 5, the complainant believes that these advertising executions violate Responsible Content Provision Nos. 27, 25, 24, and 23. The complainant states that these executions “blatantly show overt sexual activity and promiscuity with this man and three women.” Apropos of Advertisement No. 4, the complainant points to the image of the “man surrounded by three women, where one of them is unbuttoning his shirt, with the line above ‘Closing two deals in one night.’”

Apropos of Advertisement No. 5, the complainant points to the “photo of a woman in bed, looking accomplished in the conquest of two men sleeping by her side, and a bottle of Dahak prominently displayed” as the basis for this advertising execution running afoul of the above-referenced Code provisions.

The provisions of the Code subject to the complaint are set forth below. Responsible Content Provision No. 27 provides that “beverage alcohol advertising and marketing materials should not rely upon sexual prowess or sexual success as a selling point for the brand...[a]ccordingly [these] materials should not contain or depict...overt sexual activity; promiscuity; or sexually lewd or indecent images.” Responsible Content Provision No. 25 provides that “[b]everage alcohol advertising and marketing materials should not contain any lewd or indecent images.”

Responsible Content Provision No. 24 provides that “[b]everage alcohol advertising and marketing materials should not degrade the image, form, or status of women, men, or of any ethnic, minority, sexually-oriented, religious, or other group.” Responsible Content Provision No. 23 provides that “[b]everage alcohol advertising and marketing materials should reflect generally accepted contemporary standards of good taste.”

#### Code Review Board Decision:

In response to the complaint, the advertiser stated that the Dahak Vodka materials referenced above should not be considered advertisements since the product has not been offered for sale and there are no plans to sell the product at this time.

The advertiser further noted that the Facebook page containing these materials was taken down prior to receiving the Code Review Board's letter, though one or more of the images also may be present on the Dahak Spirits website.

After careful deliberation of the complaint, the Code Review Board found the referenced advertisements, with the exception of Advertisement No. 2, in violation of Responsible Content Provision Nos. 23, 24 and 27. In that regard, the Board agreed with the complainant that the above-referenced advertisements found in violation do not reflect generally accepted contemporary standards of good taste, are degrading to women and use sexual prowess/success as a selling point for the brand. The Board, however, did not agree that these advertising executions were lewd and therefore did not find a violation of Responsible Content Provision No. 25.

The Board considered the advertiser's statements that the Dahak Vodka materials should not be considered advertisements but the Board disagreed with this assessment on several grounds. First, claims that the product is not for sale contradicts the Dahak Vodka trademark application, which denotes the first date of commercial use as July 14, 2016.

Second, the Board noted that Dahak Vodka sought and received a Certificate of Label Approval from the Tax and Trade Bureau, which is a prerequisite for offering product for sale within the United States and also took note of the various entries in the Dahak Spirits website showcasing a variety of promotional activities/events, such as the July 16, 2016 Richard Hilfiger/Tango Hotel event (<http://dahakspirits.com/event/rooftop-dahak/>).

Third, the application of the Council's Code of Responsible Practices for Beverage Alcohol Advertising and Marketing is not contingent upon the actual sale of the product. In that regard, there is no doubt that the Dahak Vodka materials constitute advertising and are subject to the Code. Further and separately, the Dahak Vodka advertising materials in question are visible to

the public and thus reasonably perceived as advertising and marketing materials for this beverage alcohol product.

For all these reasons, the Code Review Board determined that the advertising/marketing activities associated with Dahak Vodka are subject to the Council's Code.

**Action by Advertiser:**

No responsive action taken. The advertiser extended a proposal to the Code Review Board committing to refrain from legal recourse if the Board agreed not to post this decision. As relayed to the advertiser, the Board will publish the decision regarding the Dahak Vodka complaint as has been and is the case for all other Code complaints.

**Status:**

The Board continues to urge the advertiser in the strongest possible terms to withdraw these advertising materials in light of the Code's provisions.