

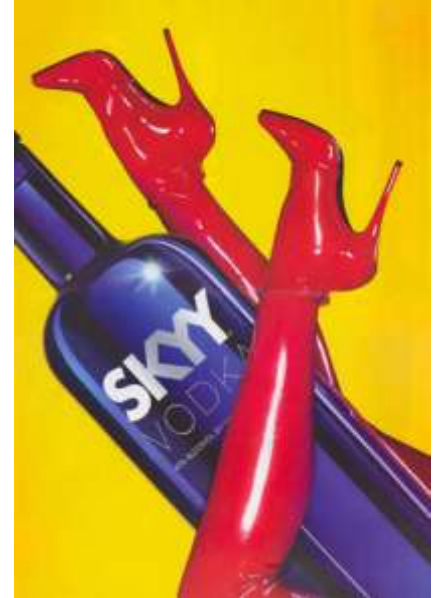
Advertisement: SKYY Vodka advertisement

Advertiser: SKYY Spirits, LLC
(Non-DISCUS member)

Complainant: Industry Member

Complaint Summary: The complainant believes that the advertisement violates Responsible Content Provision Nos. 23 and 25. Responsible Content Provision Nos. 23 and 25 provide, respectively, that beverage alcohol advertising and marketing materials “should reflect generally accepted contemporary standards of good taste” and “should not contain any lewd or indecent images.”

In that regard, the complainant believes that this advertisement is sexually suggestive, lewd and inconsistent with contemporary standards of good taste due to the depiction of a woman with a bottle positioned between her upper thighs and her legs wrapped around that bottle.



Code Review Board Decision: In response to the complaint, the advertiser stated that “[w]ith respect to the complainant’s opinion that the ad violates provision #23 and #25 of the Code and therefore does not reflect ‘generally accepted contemporary standards of good taste’ and contains ‘lewd or indecent images,’ we do not share the same point of view. This ad is based on the ‘Pop Art’ movement of the 1960’s, which has recently seen a resurgence in popularity among legal drinking age adults, and is being widely used by consumer packaged goods companies as a foundation for their advertising efforts. The SKYY ad borrows heavily from the vivid colors and images seen frequently in this movement, while being commercialized with the inclusion of the SKYY Vodka bottle.”

Further, the advertiser stated “[s]pecifically, with respect to the complainant’s opinion that the ad violates provision #23 of the Code, we respectfully disagree. This advertisement is in keeping with visuals accepted as suitable, common practice among other brand categories that market themselves to an adult consumer, such as fashion, cosmetics, fragrances, and other general consumer products. Advertisements utilizing similar styles and visual cues are commonplace in magazines, television, and websites designed to reach an adult audience.”

Regarding “the complainant’s opinion that the ad violates #25 of the Code, we again respectfully disagree. There is no depiction of any nudity, sexual activity, or promiscuity in this advertisement. The ad consists simply of highly stylized legs, shoes, and a bottle. We believe this ad meets the principles of the DISCUS Code.”

After careful consideration of the complaint and the advertiser’s response, the Board found the SKYY Vodka advertisement in violation of

Responsible Content Provision No. 23 of the DISCUS Code, which provides that beverage alcohol advertising and marketing “should reflect generally accepted contemporary standards of good taste,” due to the positioning of the bottle between the model’s legs.

The Board was split regarding whether or not the SKYY Vodka advertisement also ran afoul of Responsible Content Provision No. 25 of the DISCUS Code. Pursuant to DISCUS Code’s procedures, the complaint was forwarded to the Outside Advisory Board for their respective views. The Outside Advisory Board concluded that the advertisement violated Responsible Content Provision No. 25 because of the placement of the bottle between the model’s legs.

Action by Advertiser:

In response to the Code Review Board’s decision, the advertiser immediately reached out to their media agencies to withdraw the advertising execution found in violation. The advertiser was successful in pulling the advertisement scheduled to appear in January and February magazine runs (December issues already were printed). Regarding out-of-home placements, the advertiser halted those placements scheduled to begin in December and also was successful in removing the advertisement from out-of-home locations where it already appeared.

Status:

Resolved. Responsive action taken.