

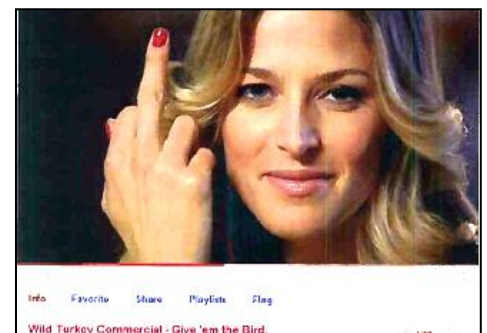
**Advertisement:** Wild Turkey Bourbon advertisement

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

**Complainant:** Industry Member

**Complaint Summary:** The complainant believes that the Wild Turkey Bourbon’s “Give ‘em the Bird” advertisement available on Wild Turkey’s website, its Facebook page and on its YouTube page are inconsistent with Responsible Content Provision Nos. 23 and 25 of the DISCUS Code.

In that regard, the complainant states that “[b]y featuring and glorifying the middle finger gesture, the ad violates the Code, in particular 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 or language.”



According to the complainant, “[t]he ad fails to ‘reflect contemporary standards of good taste.’ That the gesture is effectively prohibited in mainstream media is evidence of this. Further, given its meaning, the gesture could serve as the very definition of ‘indecent images’ prohibited by Provision 25. The middle finger gesture is internationally recognized as obscene. It is a gesture that is used to insult, dismiss and degrade the person to whom it is directed. It serves as a nonverbal expression of disdain, anger and hatred. When directed at an individual, it is commonly understood to mean ‘f--- you.’ The gesture is inherently inflammatory and vulgar.”

In addition, the complainant states that “[t]he conclusion of the ad does not relieve the gesture of its commonly acknowledged, offensive and indecent meaning. Further, Wild Turkey actually acknowledges the lewd meaning of the gesture, and is using it as a selling point.” The complainant also states that “[w]hen viewing the ad on Facebook, the fan then has access to three different versions of the ad each featuring a different character gesturing with his/her middle finger. Further, there are two additional *faux* links to what appear to be other versions of the commercial, one

with a nun and one with an adult blow-up doll. When clicked, pop-up messages from Wild Turkey state, among other things, ‘Hey, that is crossing a line, buddy.’; ‘We shot this, but our lawyers won’t let us show it to you.’; and ‘Our lawyers have advised us not to make this video public. If you disagree please [click here.](#)’”

The complainant adds that “[e]ven the implication of a nun and an adult blow-up doll ‘giv[ing] ’em the Bird,’ by all reasonable standards, is in poor taste and should not be the basis of a spirits advertising campaign.”

**Code Review Board Decision:**

In responding to the complaint, the advertiser respectfully disagrees with the complainant’s interpretation of the advertisement, and asserts that the advertiser does not share the same point of view. In that regard, the advertiser states that the “middle finger gesture portrayed in the commercial, through overuse, has actually become a trite and almost irrelevant gesture. In our commercial, the outdated nature of the gesture contributes to the comic relief. The gesture also serves as a satirical high point to show that things are not always as they initially seem. We concede, however, that the significance of the gesture may be differently perceived by different generations.”

Regarding the “the images of the blow up doll and nun,” the advertiser states that it “is important to note that these are not actual commercials, but images and pop-up lines intended to make the point that one can adhere to the boundaries of taste in a humorous way. The pop-up lines blaming lawyers for putting up boundaries and limitations is a time-honored humor technique. We hope that the Code allows for a sense of humor about the Code.”

Regarding the complainant’s assertion that Responsible Content Provision No. 25 is violated, the advertiser states that they “again firmly disagree[] with the complainant’s opinion. There is nothing lewd or indecent in any of the images or language contained in the GETB Commercial. The woman is an empowered figure who is clearly in control of the situation and is the center of attention. As such, there is nothing lewd or indecent about a woman buying a drink for a man.”

After careful consideration of the complaint and the advertiser’s response, the Code Review Board found the above-referenced Wild Turkey Bourbon’s “Give ‘em the Bird” advertisement in violation of Responsible Content Provision Nos. 23 and 25. In the Board’s view, the gesture is indecent and the advertisement fails to meet contemporary standards of good taste.

**Action by Advertiser:** The advertiser agreed to withdraw the advertising execution.

**Status:** Resolved. Responsive action taken.