

**Advertisement:**

Three Olives Vodka Facebook promotional video entitled “FIND OTHERNESS” featuring Halsey

**Advertiser:**

Proximo Spirits, Inc. (Non-DISCUS member)

**Complainant:**

Member of the public

**Complaint Summary:**

The complainant believes that the Three Olives Vodka Facebook promotional video entitled “FIND OTHERNESS” featuring Halsey runs afoul of Responsible Content Provision No. 7 providing that “[b]everage alcohol products should not be advertised or promoted by any person who is below the legal purchase age or who is made to appear to be below the legal purchase age. To help ensure that individuals in beverage alcohol advertising are and appear to be above the legal purchase age, models and actors employed should be a minimum of 25 years old, substantiated by proper identification and should reasonably appear to be 21 years of age and older.”



The complainant states that “Three Olives Vodka has done a Facebook promotion with Halsey, a 22-year-old singer. It is my understanding that people under 25 cannot be featured in a prominent role in alcohol advertising. Halsey does not look older than she is—if anything, she looks younger—and I don't know anyone over the age of 21 who listens to her.” The complainant also notes that “I'm less than a year younger than she is and most of my peers think her music is for middle schoolers. Even my 17-year-old sister thinks herself too old for Halsey.”

**Code Review Board Decision:**

After careful consideration of the complaint and without receiving a response from the advertiser, the Code Review Board deliberated upon the complaint. The Code Review Board found that the Halsey promotional video violated Responsible Content Provision No. 7.



The Board concluded that Halsey's role in the “FIND OTHERNESS” promotional video was as an actor or model in this marketing execution. This determination was based upon the fact that Halsey's participation/appearance in this video was brand driven and solely

to promote the Three Olives Vodka brand. It was not a sponsorship of Halsey's music; in fact, she did not perform her music during any instance in the video. For these reasons, the Board concluded that the 25-year-old provision set forth in Responsible Content Provision No. 7 applies to the "FIND OTHERNESS" video that was the subject of the complaint.

The Code Review Board also found a violation of Responsible Content Provision No. 2 apropos of the Halsey video. This Code provision provides that "[t]he content of beverage alcohol advertising and marketing materials should not primarily appeal to individuals below the legal purchase age." The Board arrived at its decision based upon media reports and interviews with Halsey showing that her audience primarily is comprised of individuals who are under 21 years of age.

Under the Code, advertising 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." Media articles report that Halsey "primarily appeals" to an age group below the legal purchase age.

For example, during a December 7, 2015 interview with Halsey published in Dazed, she was asked "[d]o you feel that if you didn't have such a teen fan base you wouldn't feel so indebted to talk about mental health?" Halsey responded "Yeah, I think so, but that's the demographic that has chosen me." In a November 3, 2015 article entitled "The Biggest Problem With Halsey's Biggest Fans" published in The Odyssey Online, the author relayed "I was super excited to be able to finally see her live, but being almost 20 years old I am definitely on the older side of all of her fans....I would say that her demographic is anywhere from 13-17...."

**Action by Advertiser:**

No response from the advertiser.

**Status:**

The Board continues to urge the advertiser in the strongest possible terms to remove this promotional video in light of the Code's provisions.