

Advertisement: Whisky Magazine and LinkedIn materials related to Woodford Reserve Master Distiller, Elizabeth McCall

Advertiser: Brown-Forman (DISCUS Member)

Complainant: Private Citizen

Complaint Summary:



The complainant alleges that the image shown in [Whisky Magazine](#) and on [LinkedIn](#) of Woodford Reserve Master Distiller Elizabeth McCall violates Responsible Content Provision No. B1.

Responsible Content Provision No. B1 provides that “[b]everage alcohol advertising and marketing materials should portray beverage alcohol products and drinkers in a responsible manner and reflect generally accepted contemporary standards of good taste.”

The complainant states that “[w]hile I always enjoy seeing the industry highlight women in leadership positions, photographing a pregnant woman with a glass of Bourbon in her hand (versus any other activity) sends a clear signal that’s it’s socially and medically acceptable for pregnant women to drink bourbon. It is a clear violation of Code B1. Responsible Use and Good Taste.”

Code Review Board Decision:

In response to the complaint, the advertiser stated that “[a]s an initial matter, we respectfully suggest that this is not a matter that is appropriate for consideration by the DISCUS Code Review Board. As clearly noted in the Code, its provisions apply to activities undertaken to ‘advertise and market distilled spirits.’ The photo at issue was featured in an article in Whisky Magazine. This was neither a paid nor unpaid ‘advertisement’ initiated by Brown-Forman. Upon the announcement of Elizabeth’s promotion to Master Distiller in February 2023, Whisky Magazine reached out to Brown-Forman and asked if it could do an article on Elizabeth, given the somewhat unique situation where a ‘woman’ is named as a master distiller on a relatively prominent and successful global brand.”

The advertiser added that “[t]his was in no manner a ‘Partnered Promotion’ as some publications offer (including Whisky Magazine). A review of either the print version or the electronic version of this publication evidences the difference between paid articles and those that are produced by the magazine as normal content. We have found no instance in the summary of prior Code decisions where the Board has determined that the Code applies to

newspaper or magazine articles. This conclusion is further supported by the actual language of Section B 1 of the Code: **Beverage alcohol advertising and marketing materials should portray beverage alcohol products and drinkers in a responsible manner and reflect generally accepted contemporary standards of good taste.**”

The advertiser further relayed that “[t]o reiterate, the magazine article which included Elizabeth's photo was not content Brown-Forman produced or generated. The article was written and the photograph was taken by Whisky Magazine. It defies logic to suggest that articles over which a beverage alcohol supplier does not control content is tantamount to the supplier producing ‘advertising and marketing materials.’ The magazine article was not produced by an industry member but a commercial publication. Would the Code Review Committee undertake review of an article in the Wall Street Journal or New York Times? Or the Wine Spectator? We suggest not.”

The advertiser continued by stating that “[w]e also find it troubling that the photograph is being evaluated in complete isolation of the article itself. We hope the Code Review Committee will take the time to read the article in which the photo appeared. In the article, Elizabeth tells a compelling story of how she came to work in a historically male dominated industry. She identifies how her mother had to leave her job in Quality Control at Seagram's when she became pregnant because there was no maternity leave policy. Elizabeth notes in the article how times have changed. Frankly, the complaint suggests that Elizabeth's belief is incorrect and misperceptions on a woman's place in the beverage alcohol industry remain. Someone being critical of a successful woman who continues in her career in our industry while also having a family is at the heart of the complaint.”

The advertiser noted that “[m]ore fundamentally, what is incredibly frustrating is that Elizabeth makes very clear in the article that she has been thoughtful and deliberate in how she manages being pregnant AND doing her full-time job as a Master Distiller:

Nosing is 90 percent of the work, then tasting and spitting out is what I have done to get through. . . . It is just being more aware that people may have an issue with me being pregnant around whiskey, even, but at the end of the day I know that I am not imbibing anything.

Clearly, if one takes the time to read the article, Elizabeth in no manner suggests (as the complainant would argue) that she is advocating drinking while pregnant. In fact, it is quite the opposite.”

The advertiser added that “[t]he irony is this: if the article had appeared without a photograph of Elizabeth showing her pregnancy, a complaint most likely would not have been filed. Instead, a young woman who is proud of her career and proud of being pregnant elects to demonstrate this through a photograph of her being taken at work. Why would we expect her to hide her pregnancy so that she is not criticized for continuing her work as a Master Distiller? Such an expectation undermines the efforts our industry has made to ensure it is inclusive and attracts more women. Similarly, why should she hide the fact that she does nose and taste Bourbon as

part of her job? Her choice to include a bottle and snifting glass in the photograph is evidence of her position at Brown-Forman as Master Distiller, not evidence of her consuming alcohol while pregnant.”

The advertiser also stated that “[i]n raising the complaint, reference is also made to Brown-Forman featuring the photo of Elizabeth on our Brown-Forman LinkedIn site. We would note that highlighting one of our employees with a link to the article in Whisky Magazine is not an advertisement or marketing of a distilled spirit product. We are recognizing our employees by posting articles as we look to attract candidates for employment here at Brown-Forman. We view Elizabeth as a wonderful example of what women can achieve here at our company. We firmly disagree that our use of the photograph and article on our LinkedIn page is an advertisement for our Woodford Reserve brand. LinkedIn is a site focused on employment opportunities, not promotion of brands. While stating the obvious, ‘Brown-Forman’ is not a brand of beverage alcohol.”

The advertiser concluded by relaying that “[i]n summary, Brown-Forman strongly disagrees that the Whisky Magazine article and photograph of Elizabeth McCall is an advertisement that is subject to review under the Code of Responsible Marketing Practices. Even if considered such, the content of the article which includes the photograph is in no manner violative of Section B 1 of the Code. To the contrary, the interview clearly communicates that Elizabeth is responsible in how she manages (beautifully) her pregnancy and continues to work on a job she both enjoys and is successful in. Elizabeth is the model of a contemporary mother doing what she does responsibly and in good taste.”

After careful consideration of the complaint and the advertiser’s response, the Code Review Board did not find that the Whisky Magazine article and Brown-Forman LinkedIn post cited in the complaint constituted advertising and marketing practices under the scope of the Code and, thus, did not find a violation of Responsible Content Provision No. B1.

In making this determination, the Board considered the totality of the materials included in the complaint and concluded that this was an unpaid journalistic article not directed by the company that centered upon a Brown-Forman employee, and not the marketing of a brand. The Board also found that the sharing of the article on LinkedIn did not constitute brand advertising in this instance since the article focused on an employee and was posted to the company LinkedIn page where the company provides information relevant to current and future employees and does not engage in brand-specific marketing.

The Board added that, even if the materials constituted advertising and marketing materials under the Code, consideration of the totality of the article would not violate Responsible Content Provision No. B1. The Board noted that the article explained how McCall managed her work by “nosing” the product and making clear that when she needs to taste it, she spits the product out and does not drink it. The Board concluded that the totality of these materials does not portray or endorse irresponsible behavior in relation to beverage alcohol products, but rather the article highlights how McCall responsibly navigates her dual role of Master Distiller and expectant mother.

Action by Advertiser: None required.

Status: Not applicable.