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## Alcohol Advertising Advocacy Research No Match for Corporate Dollars: The Case of Bundy R Bear

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### ABSTRACT

The Australian Alcohol Beverages Advertising Code (ABAC) states that alcohol advertising must not have evident appeal to children and underage youth. Nevertheless, the Bundaberg Rum brand uses a polar bear character (personalised as Bundy R Bear) in their advertising and promotion, including social networking sites. The results of several small scale research activities undertaken to support complaints that this animal character has evident appeal to children are presented here. However, in spite of substantial evidence that the animal character appeals to children and adolescents, the self-regulation ABAC Scheme, which is co-managed by the Australian Government Department of Health, rejects such complaints and allows the polar bear to continue in Bundaberg Rum advertising. This paper canvasses why an animal character with evident appeal to children is permitted to continue to promote alcohol, including pre-mixed spirits (alcopops), in spite of the self-regulation code prohibiting such use. While health advocacy research – the gathering of data to support policy and interventions to reduce harm – is often considered crucial to help persuade policy makers to introduce consumer protection policies and practices, this paper illustrates that in this case, such data are insufficient to counter vested interests..

### ARTICLE

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#### Introduction

In the past decade there have been considerable gains for consumers with respect to tobacco control. However there has been little if any significant change in alcohol regulation over that time. In fact one might argue that the opposite has occurred in Australia (and elsewhere) with increases in small bar outlets, alcohol marketers dominating sports sponsorship, and the alcohol retail trade now dominated by the big two supermarket food retailers (Coles and Woolworths) with subsequent discounting. Furthermore, recent analyses indicate that alcohol related harm is steadily increasing (Livingston et al. 2010). This paper illustrates the difficulties faced by alcohol control advocates in the face of strong ties between government and the alcohol industry.

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## **Alcohol**

Alcohol is ranked among the 10 leading risk factors for death worldwide accounting for approximately 2.3 million deaths per year. As the third leading global risk for disease burden, alcohol contributes 4.5% of total measured disability-adjusted life years (DALYs) worldwide, higher than both tobacco (3.7%) and illicit drugs (0.9%) (World Health Organization 2009a, 2010b). Alcohol is indeed 'no ordinary commodity' (Babor et al. 2010).

There is growing international concern regarding youth alcohol use and misuse and subsequent susceptibility to short term social harms and long term harmful physiological effects (Chikritzhs 2004; Jernigan 2001; National Research Council and Institute of Medicine 2004; US Department of Health and Human Services 2007). Acute short term harms include injury and death resulting from motor vehicle crashes, suicide, violence, risky sexual behaviour, substance abuse and criminal behaviour (Chikritzhs 2004; Hingson and Kenkel 2004; World Health Organization 2010c). Longer term harms include chronic disease, loss of memory and neurological damage (Brown and Tapert, 2004; National Research Council and Institute of Medicine 2004).

In 2007 it was estimated that 20% of Australian youth aged 12 to 17 years consumed alcohol weekly (Australian Institute of Health and Welfare, 2008). Age of initiation is an important factor linked to the beginning of a patterned trend of risky consumption that continues into young adulthood (LaBrie, Rodrigues, Schiffman and Tawalbeh 2008). Much of the concern in Australia (and elsewhere) with underage drinking centres on the deliberate marketing to and consumption of pre-mixed spirits (alcopops) by young people. Recent studies calculated that the Government earned over \$100 million annually from underage drinkers in 2002 and 2005 – much of that from alcopops consumption (Doran et al. 2009). It is clear that both the alcohol industry and the Australian government even more so, benefit considerably from underage drinking, and underage alcopops consumption in particular.

### **Alcohol marketing and youth consumption**

Recent reviews of longitudinal studies confirm a strong association between alcohol advertising and other marketing exposures and the drinking intentions or drinking behaviour of young people (Andersen et al. 2009; Smith and Geller 2009). Exposure to alcohol advertising is associated with initiation of drinking (Hanewinkel and Sargent, 2009), intention to drink (Pasch, Komro, Perry, Hearst, and Farbaksh, 2007), maintenance of drinking (Collins, Ellickson, McCaffrey and Hambarsoomians 2007), and increased drinking (Snyder, Milici, Sun, and Strizhakova, 2006). Exposure to alcohol advertising is regulated by the Australian Communications and Media Authority which regulates to minimise children's exposure to alcohol advertising. However, in spite of these restrictions, studies by Fielder et al. (2009) and Winter et al. (2008) show that underage youth are exposed to levels of alcohol advertising little different to that of young adults.

Alcohol advertising contains elements that appeal to and influence the drinking behaviours of underage audiences (Chen, Grube, Bersamin, Waiters and Keefe 2005). Chen et al. (2005) identified animals and animal characters as one of a number of specific elements in alcohol advertising that appeal to underage youth and that predict overall advertising effectiveness (i.e. purchase and/or consumption intentions).

### **The appeal of animals and animal characters to children**

Although patently obvious from a perusal of entertainment and marketing promotions targeted to children and adolescents, there is also considerable empirical evidence that animal characters hold special appeal to children and youth (Garitaonandia, Juaristi and Oleaga 2001; McNeal 1992). Animal characters have been used by marketers targeting

children and youth for a range of products, including toys, fast food, breakfast cereals and confectionery. Less often, alcohol and tobacco marketers also have used animal characters with evident appeal to children and underage youth. The best known of these was R.J. Reynolds' cartoon character Joe Camel (DesRoches 1994), where in 1988 the lifelike camel logo was transformed into a dark-glasses wearing anthropomorphic character 'Joe Camel' ('Old Joe'). One study found association of this character with a cigarette ranged from 30% of children as young as three years to 91% for six year olds (Fischer et al. 1991). Following considerable pressure and litigation Joe Camel was voluntarily withdrawn in 1997.

Similarly, Anheuser-Busch's 'Bud Frogs' advertising campaign clearly attracted the attention of children: one year after the campaign began, recall of the Budweiser frogs amongst children 9 to 11 years was higher than for other commercial animal icons, even for products explicitly aimed at children, such as Tony the Tiger for Frosted Flakes breakfast cereal (Gentile et al. 2001; Leiber 1996).

### **Regulation of alcohol advertising**

In many developed countries, alcohol marketing and advertising are subject to a system of self-regulation operated by representatives of the advertising, media and alcohol industries. One of the major aims of alcohol self-regulatory codes is to prohibit advertising that targets underage youth. However, the effectiveness of these codes has been questioned in Australia and elsewhere (Jones and Donovan 2002; Jones and Jernigan 2010; US Department of Health and Human Services 2007; World Health Organization 2009c, 2009d). It is ironic that at the same time such codes are deemed to be failing, the evidence that alcohol advertising influences underage youth consumption highlights the need for even more stringent codes (Chung et al. 2010; Jones, Hall and Munro 2008).

In Australia, complaints about alcohol advertising are lodged with the Advertising Standards Bureau which passes them to the Australian Alcohol Beverages Advertising Code (ABAC) Scheme. The ABAC Scheme is jointly administered by a Management Committee of representatives of the alcohol industry, the advertising industry, and the Commonwealth Government's Alcohol Policy group. Complaints deemed relevant to the Code are heard by an ABAC Adjudication Panel which for each complaint consists of three individuals: the Chair (currently Dean of Law at a state university); one of two marketing/media industry members; and one of two university professors with public health expertise. These Adjudication Panel members are paid a retainer plus an amount per complaint heard. Those funds are provided by the alcohol industry.

The Management Committee also oversees a pre-vetting process whereby advertisers can submit ads for approval (or disapproval) prior to going to air. Detailed Guidance Notes are provided for pre-vetting, presumably so that the pre-vetters can do their job effectively. The ABAC states that "Advertisements for alcohol beverages must not have a strong or evident appeal to children or adolescents". The Guidance Notes define 'children' as under 14 years of age and 'adolescents' as 14-17 years of age. Guidance Note 4 explicitly states that with respect to 'evident appeal to children and adolescents': "... advertisements should not feature activities, imagery, music, characters, celebrities or any other elements that have ... evident appeal to ... people under 18". Clearly, if characters such as Bundy Bear have 'evident appeal' to children or adolescents, then the ABAC Scheme says they should not be used in alcohol advertising.

The Australian Government's Department of Health & Ageing (DoHA) Alcohol website ([www.alcohol.gov.au](http://www.alcohol.gov.au)) endorses the ABAC Scheme by listing it on their home page in a "what's new?" box:

- Alcohol in pregnancy: what questions should we be asking?

- Australian alcohol guidelines
- Treatment guidelines
- Community Level Initiative third funding round - apply now
- Alcohol Beverage Advertising Code

The ABAC is also listed on DoHA's Links and Contacts page along with various service providers and foundations such as the Alcohol and other Drugs Council of Australia (ADCA), Alcoholics Anonymous Australia, Australian Parents Council (APC), Australasian Professional Society on Alcohol and other Drugs (APSAD), Family Drug Help, National Drug and Alcohol Research Centre (NDARC), National Drug Research Institute (NDRI), Network of Alcohol and Drug Agencies and The Telethon Institute for Child Health Research (DoHA 2011). Overall, the juxtaposition of the ABAC with these entities provides the ABAC Scheme with a veneer of credibility that we would argue is undeserved. In fact we would suggest that the Government's website is misleading in that it infers that the ABAC shares the same values and concerns about alcohol of the above listed groups. By way of contrast, the same Department's Nutrition and Healthy Eating websites do not appear to list any relevant advertising self-regulatory bodies or codes.

### **Bundy R Bear and Bundaberg Rum**

In Australia, Bundaberg Rum (now owned by the global alcohol marketer Diageo), uses a personalized polar bear character (Bundy R Bear) in their television advertising, on Facebook (you can be a 'friend' of Bundy; nearly 65,000 'like this' on 20 September 2011 (<http://www.facebook.com/BundyR.Bear>), and in on-the-ground promotions. However, complaints to the ABAC Scheme that the use of the polar bear character contravenes the ABAC have as far as we can ascertain, with one known exception, been dismissed. In the one exception the ABAC upheld the complaint because the advertisement was deemed to contain other elements appealing to children and adolescents independently of the presence of the bear.

When dismissing complaints, the ABAC Adjudication Committee has based its decision on the premise that if the advertisement does not appeal to children or adolescents when the bear is removed from the advertisement, then the advertisement with the bear does not appeal to children or adolescents. This is arguably illogical and suggests a clear bias toward the alcohol industry.

#### **The case of ABAC Determination No 37/10**

In 2010 we lodged a complaint with respect to a Bundaberg alcopop television ad that featured a Western gunfight theme (including a Mariachi band) and a computer generated (animatronic) polar bear with a more muscular appearance than the previous polar bear. Stills from the ad are shown in Figure 1. Our complaint was that the advertisement contravened the ABAC because both the cowboy theme and the polar bear elements had evident appeal to children and adolescents. In spite of Guidance Note 4 above, the ad had been pre-vetted and approved.

The complaint was dismissed. The ABAC Adjudication Panel accepted Diageo's arguments that there was no evidence of appeal of the Western theme to children or adolescents and that the bear would not appeal to children because it was '8 feet tall, muscular, and had sharp teeth and claws'. Furthermore, the ABAC used the logic that because (in their view) the ad without the bear would not have evident appeal to children, then the ad with the bear would not have evident appeal to children.

Apart from the bizarre logic, the ABAC Adjudication Panel thus ruled that the cowboy theme had no evident appeal to children or adolescents. This ruling is clearly inconsistent with publicly available evidence such as Disney’s billion dollar-plus grossing Toy Story movie series where Woody’, the toys’ leader, is a cowboy, and the internationally popular Wiggles’ CD of Western songs where they appear on the cover in cowboy outfits. Interestingly this CD promotes a special feature of a Mariachi band playing one of the songs. In correspondence with the ABAC Scheme we also noted that the advertisement had similarities to the popular Western video game “Red Dead Redemption”, which provided further evidence that the Western theme was still popular with adolescents.

Figure 1: Stills from ‘Make your smooth’ ad shown to respondents



We also pointed out that the ABAC Adjudication Panel’s acceptance that a muscular character with sharp teeth and claws would not appeal to children or adolescents is grossly inconsistent with the popularity of current superheroes like Spiderman, who not only has a

markedly muscular body but who also has sharp teeth (see Figure 2), and a number of characters in children’s toys and literature (such as Ben10).

Figure 2: Spiderman figures with muscular build and sharp teeth



## Research activities: Methods and results

We and colleagues conducted a number of small scale research activities to provide evidence to the ABAC Scheme that bears, polar bears, and the specific Bundy Bear character have evident if not strong appeal to children and adolescents.

### Study 1: 11-17 year olds' liking of Bundy Bear

**Objective:** To assess the extent to which 11-17 year old children recognised the Bundy Bear character and attributed positive characteristics to the character.

**Method:** A convenience sample of 53 children (28 boys; 25 girls) aged 11 – 17 years (11-13 years: n = 11; 14-15 years: n = 27; 16-17 years: n = 15) obtained via a central location intercept survey method. Parental approval was obtained for younger respondents. The interviews were conducted by professional interviewers employed by the Centre for Behavioural Research Survey Group.

**Procedure:** The children were shown a picture of Bundy Bear and asked: "Do you know who this is?" All respondents were then given a list of adjectives/phrases and asked whether or not each described 'this bear character'.

**Results:** Consistent with Carter et al.'s (2010) larger sample described below in Study 2, 86% of the boys and 60% of the girls said they recognised the character. Over 90% of boys and girls described Bundy Bear as 'friendly' and 'good to have at a party' and over 80% rated him 'funny' and 'laid back'. Boys generally were more favourable toward Bundy than the girls, with over 80% of boys also describing him as 'adventurous' and 'really cool'.

These data indicate that the Bundy Bear character has evident if not strong appeal to children and adolescents, and particularly boys.

### Study 2: Children's association of the Bundy Bear character with Bundaberg Rum

**Objective:** To assess the extent to which children aged 9 – 15 years know that the Bundy Bear character promotes Bundaberg rum.

**Method:** Children (n = 155) were recruited from four primary schools (n=78) and four secondary schools (n=77) in the Perth metropolitan area. The children completed a self-completion questionnaire in their classroom under the supervision of one of the researchers (see Carter et al. 2010).

**Procedure:** After introductory tasks, the children were given an image of Bundy R. Bear plus images of seven other characters used to advertise food and drink products in the popular media. All images were digitally cleaned to remove all products and trademarks. Children were asked to correctly match images of Bundy Bear and these seven animal characters to a collection of 16 product images (8 correct images and 8 distractors).

**Results:** Three-quarters (75%) of all respondents correctly associated Bundy Bear with a bottle of Bundaberg Rum. With respect to age, 67% of 9–12 year old children made a correct association, rising to 84% of children aged 13–15 years.

These data indicate that not only does Bundaberg Rum advertising reach this young audience but also attracts their attention sufficiently to know what product he is promoting.

### **Study 3a: Adults' perceptions of what appeals to children and adolescents**

**Objective:** To assess the extent to which parents and other adults consider that animals in general and polar bears in particular, appeal to children.

**Method:** A convenience sample of  $n = 100$  parents and adults who work with children was interviewed via an intercept survey in a central location. Interviews were conducted by professional interviewers employed by the Centre for Behavioural Research Survey Group.

**Procedure:** Respondents were presented with a number of items relating to animals in various forms and asked whether or not each appealed to children. They were then asked how much appeal polar bears and bears in general had to children [a lot, somewhat, a little, not at all]. They were then given a list of nine animals and asked to select the one with 'most' appeal to children

**Results:** There was almost universal agreement that animals in the following forms appealed to children: 'animals in their 'natural' appearance, such as in the zoo, circuses, on farms or wildlife centres' (99%); 'caricatures of animals as in cartoons and comics' (97%); and 'computer generated animals that appear natural but can walk and talk like humans' (96%).

With respect to how much appeal polar bears and bears in general had to children, 86% said polar bears had a lot (58%) or somewhat (28%) appeal to children; and 83% said bears in general had a lot (55%) or somewhat (28%) appeal to children.

When asked to select which of nine animals had 'most' appeal to children, 'horses' was selected by 25%, followed by 'bears of any sort' 17% and 'polar bears' 15%, ahead of German shepherd dogs, kangaroos, chickens, squirrels, donkeys and rats.

Overall, parents almost universally agree that animals and animal characters, bears in general and polar bears in particular, have appeal to children. In short, there appears to be widespread acceptance of the appeal of animals to children consistent with publicly visible examples and the empirical evidence.

### **Study 3b: Adults' interpretations of the ABAC**

**Objective:** To assess the extent to which adults would view the Bundaberg Rum ad complained about (Figure 1) as having evident appeal to children and underage youth, and whether or not they agreed or disagreed with the ABAC decision to dismiss the complaint.

**Method:** As above in Study 3a.

**Procedure:** After completing the above study 3a questions, respondents were shown stills from the advertisement (Figure 1) and asked whether they thought the advertisement would appeal to the following three groups: pre-primary children in general; primary school boys; and secondary school boys. They were then given the ABAC article and Guidance Note with respect to children and adolescents and asked whether they thought the advertisement would or would not have evident appeal to children and to adolescents. Finally they were told that the ABAC had approved the ad on the grounds that it would not appeal to children and adolescents and asked whether they agreed or disagreed with that decision.

With respect to overall appeal, the results were: pre-primary children in general: 71% said 'would appeal'; primary school boys: 88%; and secondary school boys: 78%.

When given the ABAC article and Guidance Note 4, almost 70% said the ad would have evident appeal to children and over three quarters (77%) said the ad would have evident appeal to adolescents. [Note that respondents were exposed only to stills from the advertisement and no soundtrack. Given our experience in pre-testing commercial advertising for transformational strategies we would expect an even stronger response of appealing to children and adolescents had they seen and heard the full advertisement].

When told that the ABAC had approved the ad, 71% said they disagreed with that decision (32% strongly disagreed), 22% agreed (only 4% strongly agreed), and 7% were 'unsure'.

Typical responses as to why respondents disagreed with the ABAC's approval of this ad were unsurprising (except perhaps to ABAC members and the advertiser):

*With the bear it appeals to children. Also appeals to adolescent boys because of the western theme.*

*Because they're using animal characters to get the kids to watch the ad.*

*For adolescents the themes that are in it. The cowboys and the music and the cool bear.*

*The cuddly animals, the cowboys, the cool music.*

*I just think the polar bear does attract boys and the manner of it the music and the action adventure grabs the children's attention and it does look like out of a video game like 'ice age'.*

*Because my 5 year old said 'wow look at the bear'. I think it's targeted at late teens early 20's males but it captures young children.*

There were also comments on the impact of the ad on children and alcohol, for example:

*Because it does appeal to children and encourages under age children to drink*

*We have enough problems with alcohol as it is and we don't want to entice children and adolescents into drinking*

*It's aimed very much at the male market and it's saying it's cool to drink alcohol and it's got a rebellious element to the ad, which would appeal somewhat*

## **Discussion**

The above research data confirm what we consider most reasonable people would believe; that is, that the Bundy Bear character would have evident if not strong appeal to children and adolescents. Furthermore, with respect to the specific ad complained about, there is overwhelming evidence in the public domain that cowboy themes and muscular animatronic figures have strong if not evident appeal to children and youth.

We provided the above information to the ABAC Management Committee and the Australian Government Minister for Health who has jurisdiction over the Department of Health representative on the ABAC Management Committee. The ABAC Management Committee was unconcerned about the apparent discrepancy between the Adjudication Panel's ruling and the above evidence and the Minister did not even bother to respond.

It was expected that ABAC Scheme participants would at least be aware of publicly visible examples of the appeal of animals and animal characters to children. In particular, it would be expected that the ABAC Scheme's marketing and advertising industry representatives would be well aware of the appeal of animal characters to children and adolescents in marketing promotions (as would Diageo's advertising agency). We would suggest that if indeed they were aware of such public evidence, they simply chose to ignore it when dealing with complaints about Bundy R Bear.

In addition to appearing oblivious to what parents and marketers know is appealing to children and adolescents, the question also arises as to why the ABAC Adjudication Panel used the spurious logic of taking the bear out of the ad to assess the extent to which the ad with the bear appeals to children or youth. Perhaps the answer is that any self-regulation scheme is inherently doomed to failure because those who administer the various scheme components, whether that be oversight, adjudication or pre-vetting, are either directly employed in the alcohol industry or are paid by the industry for their work. That is, any fee or honorarium that supposedly 'independent' members receive for their services comes from the industry they are judging, thus calling into question the ability of members to be fully impartial in their deliberations. There is considerable evidence demonstrating the often unconscious biasing of decisions in such or similar situations (Cialdini 1984; Katz et al. 2003).

The question also arises as to why the Australian Government's Alcohol Policy Branch condones – and thereby endorses – alcopops advertising with evident appeal to underage youth. No doubt any tobacco brand that attempted to use an animal character with evident appeal to children and adolescents would be greeted with outrage by the same Australian Government Department of Health. Perhaps part of the answer is that while the governing Labor Party no longer accepts donations from tobacco companies, it attracts and accepts substantial donations from the liquor industry (e.g. Callinan 2011). Furthermore, with a recently introduced increased tax on alcopops specifically, a product category popular with young people and underage drinkers in particular, the Government has a vested interest in ensuring that alcopops advertising is attractive to youth.

Further evidence of co-operation rather than co-regulation (if not collusion) between the Government and the alcohol industry is the presence of the Chair of the alcohol industry funded body DrinkWise on the Australian Government's National Preventive Health Agency Advisory Council. The Australian National Preventive Health Agency (ANPHA) is charged with implementing actions to counter harm from obesity, tobacco and alcohol. No other member of the Council has such ties to an industry that would be affected by decisions made by the Council. It is also relevant to compare the alcohol industry's 'mission' for DrinkWise and the Australian Government's Response to the National Preventive Task Force Agency Report with respect to alcohol. DrinkWise states that it is 'committed to shaping a healthier and safer drinking culture in Australia' while the Australian Government's goal is 'reshaping the drinking culture in Australia.' The similarity is striking.

Overall, in this case, substantial relevant advocacy research and publicly visible evidence have so far been insufficient to influence the decisions of those who manage the alcohol self-regulatory scheme in Australia. Unfortunately all parties involved in the ABAC Scheme, including the Australian government, have - or appear to have - a vested interest in accepting the alcohol advertiser's position rather than the evidence.

When advocacy research is insufficient, then direct action is required. Lessons could be learned from the history of tobacco control. That history shows that tobacco control was led by public health professionals and the medical profession playing dominant advocacy and activist roles. Doctors actually demonstrated with placards outside parliament in support of tobacco marketing restrictions. No such level of activism exists for alcohol control. In fact

some public health professionals are a party to the ABAC self-regulation scheme (as members of the Adjudication Panel) and the medical profession is no doubt compromised by many of their member's investments in the wine industry.

Overall, given the failure of the alcohol self-regulation scheme to prohibit alcopops advertising that has evident appeal to children and adolescents, we would advise concerned parents and others to send complaints about such advertising, not to the ABAC Scheme or to the Public Health Association, but directly to the Australian Government Minister for Health, with copies to each state health minister, the opposition spokespersons on health, their local member of parliament, journalists on local and national papers, and to their own networks of parents asking them to do likewise. In particular, parents could ask their school's teachers and Parents and Citizens to also voice their concern to the Commonwealth Minister for Health and enlist the support of an organisation such as GetUp. Perhaps the politicians would act if they believed that the loss of votes outweighed donated corporate dollars.

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