

Donovan



Bundy

versus

Rob Donovan's award-winning presentation at this year's WA state conference, where he presented research conducted to support a complaint to the Alcohol Beverages Advertising Code (ABAC), is a fascinating example of how research with children can be applied.

Professor Rob Donovan jokes that, with global warming, polar bears are getting anxious about their future, but they shouldn't worry – they can 'get a bloody good job advertising Bundaberg rum in Australia'.

Donovan has been tireless in waging war against Bundy Bear in particular (although Tooheys and Jim Beam may also soon be in the line of fire) because, despite the fact that the voluntary Alcohol Beverages Advertising Code (ABAC) specifically states that advertisements shouldn't have a 'strong or evident appeal to children or adolescents', he says 'many brands ignore the recommendation without consequences'. Bundy Bear, who cavorts with cowboys, waves the biggest red flag.

He has been, both publicly and privately, strident in his criticism of the alcohol industry's self-regulatory bodies, Diageo (the company that owns the Bundaberg brand), the large donations by the industry to the Labor party, the close links between the industry and the Federal Government's newly-formed Australian National Preventive Health Agency, which includes alcohol industry representatives helping to determine public health policy and interventions to reduce alcohol consumption. Donovan finds this extraordinary – 'Hitler didn't invite Churchill to help him plan the invasion of Britain,' he says.

The complaints process

In Australia, complaints about alcohol advertising are lodged with the Advertising Standards Bureau, which passes them to ABAC. Complaints deemed relevant to the code are heard by an ABAC adjudication panel, which for each complaint consists of three individuals: the chair Michael Lavarch (currently Dean of Law at QUT and formerly Australia's attorney-general); one of two marketing/media industry members; and one of two university professors with public health expertise.

Bundy Bear, the polar bear associated with the Bundaberg brand since 1961, has been in Donovan's firing line for several years. Along with postgraduate students at Curtin University, where he is professor of behavioural research and adjunct professor of social marketing, Donovan has lodged two complaints about Bundy Bear TV commercials to ABAC, has formally requested a review of ABAC's decision to dismiss the most recent complaint and has co-authored, with Lynda Fielder and Geoffrey Jalleh, an article titled

'Alcohol advertising advocacy research no match for corporate dollars: The case of Bundy R Bear', which was published last year in the *Journal of Research for Consumers*.

In the case of ABAC and Bundy Bear, he believes, 'it doesn't matter how much advocacy research you do'.

Donovan says that in spite of 'substantial evidence that the animal character appeals to children and adolescents', the ABAC scheme, which is co-managed by the Federal Department of Health and Ageing, rejects such complaints and allows the polar bear to continue in Bundaberg Rum advertising.

One of the advertisements about which Donovan's team complained features Bundy Bear in a Western gunfight scene (including a mariachi band) and the other features him and his mates 'modifying' a neon sign at 'Billy Bob's Bourbon Bar' to read 'B...Y...O... Bar', so they can drink the Bundaberg Rum they're carrying into the licensed premises in an esky.

ABAC rejected these complaints because it accepted the advertiser's argument that 'the appearance of a gruff, mate-like character of the Bundy bear is not at all child-like or adolescent nor does it appeal to children or adolescents'. They went on to argue that 'this is further emphasised when considered in the context of the setting of the ad'.

Donovan says the ABAC's decision, which relies heavily on the setting of the ad, is flawed logic.

'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.

'Anybody with half a brain would say that [Bundy Bear] appeals to children. [Yet] Diageo [claimed in their defence] that "there's no evidence that Western themes or cowboy themes appeal to children". ABAC agreed with them. If academics live in ivory towers then these people must be buried several kilometres underground.

'*Toy Story* grossed \$2 billion and the main character is a cowboy. The Wiggles have put a CD out called *Cold Spaghetti Western*, on the cover of which they are all dressed as cowboys. The highlight on the CD is a mariachi band. The above-mentioned Western themed Bundaberg Rum ad with Bundy Bear prominently features a

Bear

mariachi band playing under a tree throughout the whole gunfight... you get a bit baffled.'

ABAC chair Denita Wawn says that the ABAC adjudication panel has considered the Bundy Bear character on six occasions and notes that the first complaint - about an advertisement featuring Bundy Bear attending a party in a private house, with cowboy hats and balloons - was upheld (the remainder of the six, including the two complaints from Curtin researchers, have been dismissed).

'In the first occasion, decision 11/06, the panel made the point that the possible "appeal" of the Bundy character to children made it important that the advertiser pay close attention to the use of the character in its advertising.

'The adjudication panel has taken the view, in its consideration of the subsequent complaints, that the advertiser has done that in a way that has not led to the advertisements in question having "strong or evident appeal" to children.'

Complaint supported by both primary and secondary research

When Donovan and his team requested that ABAC review its decision in late 2010, they presented detailed results of a number of small-scale research projects to provide evidence that the Bundy Bear character has evident, if not strong, appeal to children and adolescents.

Donovan argues that while it is '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'. He and his team provided a summary of academic research in support of this claim.

Donovan and his team also conducted primary research with both children and parents. The research found that 97 per cent of parents said bears in general, and 96 per cent said polar bears in particular, appealed to children. This included animals in the 'natural appearance (99%), caricatures of animals in cartoons and comics (97%) and computer generated animals that appear natural but can talk and act like humans (96%). Furthermore, the overwhelming majority of parents thought the addition of large, sharp teeth, claws and fierce looks actually increased children's attention to animal characters. Their research with children (aged nine to 12 years) and adolescents (13 to 15 years) found that 67 per cent and 84 per cent, respectively, correctly matched the Bundy Bear with the Bundaberg Rum brand.

'We have not seen the research in question, but we are familiar with Prof Donovan's long-running campaign against the Bundy Bear,' said Bob Rayner, corporate relations director, Diageo Australia. 'We do not agree with his repeated assertion that the Bundy Bear motif has "strong or evident appeal" to those below the legal purchase age.

'We remain committed to responsible marketing and never target our advertising at people under the legal purchase age. We have seen no substantive independent research to prove that the presence of a bear on our packaging contributes to any type of risky drinking behaviours.'

Donovan told *Research News* that ABAC refused to review the panel's decision, which, consequently, did not consider the additional evidence.

It is for this reason that his new strategy is to appeal directly to Tim Salt, the managing director of Diageo Australia, and Trish Worth, the chair of DrinkWise Australia, a not-for-profit organisation established to promote a healthier and safer drinking culture in Australia. Donovan formally wrote to both in March and submitted his research to DrinkWise.

As an evidence-based organisation that relies on key independent research and clinical advice, DrinkWise notes that teenagers are drinking at a younger age and at risky levels. The average Australian starts drinking alcohol at 15.5 years and more than a quarter of our 14-to-19-year-olds are putting themselves at risk of harm at least once a month.

Donovan notes that DrinkWise unequivocally accepts the evidence of noted researchers such as Professor Ian Hickie, regarding alcohol's potential damage to the developing brain. He also notes that DrinkWise has a strong focus on targeting parents as influencers on their children's drinking behaviour - again based on evidence suggesting that parents have a strong influence on their children's behaviour.

'However, while parents (and others) have a role to play, it is also true that there is a strong body of evidence that alcohol marketing (sweetened products, advertising, sports and other sponsorship, merchandising, sales promotions, social media, etc.) contributes substantially to an environment that facilitates, if not encourages, children's trial, uptake and continuing consumption of alcohol.'

With respect to sweetened alcohol products (i.e. so-called alcopops, such as rum and cola), Donovan argues that DrinkWise would also be aware of the evidence of the appeal of these products to under-age drinkers and that such drinks are associated with excessive ('binge') drinking amongst under-age children and adolescents.

However, Donovan expresses concerns about the fact that DrinkWise was founded by the alcohol industry in 2005. Diageo's Salt is on the board.

Donovan believes that, 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, such data are often insufficient to counter vested interests.

'Perhaps the explanation 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.'

Wawn defends the scheme.

'Contrary to statements of Professor Donovan, the ABAC scheme is not a self-regulatory scheme but rather a quasi-regulatory code that includes government representation on the ABAC management committee.'

She adds that the ABAC scheme has a strong record in consideration of complaints to reflect community expectations and enforcement of the Code. For example, in 2011, ABAC considered 45 complaints of which 15 were upheld and in each case, other than one by a non-signatory, the advertiser agreed to withdraw or modify the advertisement or packaging.

Kerry Sunderland, managing editor, *Research News*