



## Portman Group adjudicates on complaint over Red Army Vodka packaging

**Topic:** Retail

**Who:** Portman Group

**Where:** UK

**When:** 9 April 2014

**Law stated as at:** 12 May 2013

### **What happened:**

The Portman Group's Independent Complaints Panel has upheld a complaint against vodka brand Red Army Vodka and found it in breach of Rule 3.2(b) of the Portman Group's Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks (the "Code").

The Code applies to the naming, packaging, marketing and promotional activity undertaken by a drinks producer for an alcoholic drink which is marketed for sale and consumption in the UK, where such activity is primarily UK-targeted, and is not already subject to regulation through the ASA or Ofcom. It therefore fills in many of the gaps in the remit of the CAP Code in relation to the marketing of alcoholic drinks in the UK.

In the Red Army Vodka case the vodka was being sold in a bottle shaped like an AK-47 assault rifle as part of a novelty gift pack, which also included a smaller hand grenade shaped bottle of a Russian herbal liqueur. The complainant alleged that both the name and packaging of Red Army Vodka were unacceptable and in breach of Rule 3.2(b) of the Code which states that:

*"A drink, its packaging and any promotional material or activity should not in any direct or indirect way suggest any association with bravado, or with violent, aggressive, dangerous or anti-social behaviour".*



The complainant considered that the name and packaging of Red Army Vodka were entirely inappropriate for an alcoholic drink as the product would immediately be associated with the AK-47,

which as a weapon symbolises terror and violence, and therefore has a direct association with violence, danger and aggression.

Bartex Bartol Sp.J, the makers of Red Army Vodka, responded to the complaint by stating that the product was simply in a glass bottle in the shape of a gun and had nothing to do with weapons or violence. They highlighted that they had no aim to create or promote violence and that the company sold alcohol rather than weapons.

Despite the manufacturer's response, the Independent Complaints Panel held that the product name, in the context of the packaging, and the packaging itself were in breach of Rule 3.2(b). The Panel agreed with the complainant that they were unacceptable for an alcoholic drink as they suggested an association with violent and dangerous behaviour.

The Portman Group has consequently sent out a Retailer Alert Bulletin asking licensees not to place orders for stocks of Red Army Vodka with the existing packaging after 20 June 2014.

### **Why this matters**

The Red Army Vodka case provides a helpful reminder that as well as checking their promotional activities against the CAP Code, BCAP Code and Ofcom Broadcasting Code, alcohol producers should also be checking for compliance with the Portman Group Code of Practice, which applies to important areas such as product names and packaging.