

NOTE

A summary of the ruling made in the case 248/19 featuring the singer Anitta and the Ambev

Date: November 2019

Case No: 248/19

Advertiser: Ambev (Skol) and Anitta

Decision: Suspension and warning

Rules: Articles 1, 3, 6 and 50, letters "a" and "c", of the [Code](#) and its Annex A

Summary:

Consumers from Rio de Janeiro sent a complaint to Conar, against an advertisement on social networks by Ambev and the singer Anitta, with the title "In honor of funk, the new BEATS is 150 BPM, because it is faster than all the Skol Beats you've seen ". The consumer questioned the display of the message in a vehicle aimed at a predominantly young audience, without selective access control, as recommended by the Brazilian Advertising Self-Regulation Code.

To this complaint, the management of Conar added two others: the lack of a phrase recommending responsible consumption of alcoholic beverages and a direct appeal for consumption of the product, both equally proposed by the Code.

In her defense, the singer Anitta denied that it was paid advertising but rather a spontaneous post from her, hence the absence of the warning phrase. She showed information that her channel has a predominantly adult audience. Defense sent by Ambev is similar to that of the singer, also explaining that the advertised product has an alcohol content of 13.9%, qualifying it for Annex A of the Code.

The rapporteur/ officer of the representation did not accept these and other arguments, considering that, given the very high number of followers of Anitta, even though they are mostly adults, "responsibility for the published communication" is required.

The officer considered that there was no bad faith on the part of Ambev, but that this does not exempt her from responsibility, given that the singer was recently announced as Head of Innovation and Creativity of the Skol Beats brand. The officer also agreed with the complaint that there is little consideration in the claim, given there is an emphasis on the effects of the drink.

For this reason, the officer proposed the suspension and warning to Ambev and Anitta. His proposal was accepted unanimously.

Note: the link below may at least provide a flavour of the 'advertising':

<https://youtu.be/qaehnXgvaLE>

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