

Advertisement:

New Amsterdam Pink Whitney vodka promotional video

Advertiser:

Spirit of Gallo (DISCUS Member)

Complainant:

Private citizen

Complaint Summary:

The complainant alleges that the New Amsterdam Pink Whitney promotional video described below runs afoul of Responsible Content Provision Nos. A1, A2, B1, B3, and C5 and Responsible Placement Provision No. A1.



The complainant states “I am submitting a formal complaint regarding a violation of the DISCUS Code of Responsible Practices for Beverage Alcohol Advertising and Marketing, specifically involving the product Pink Whitney (a flavoured vodka product of New Amsterdam Vodka). The conduct in question appears in a YouTube video featuring the brand’s part-owners. The video is titled: ‘Spittin Chiclets vs Fore Play | The Match We’ve All Been Waiting For.’ Available at:

https://youtu.be/L3wneENZvPw?si=XbTz_yKoRaZg_ood.”



The complainant relays that “[i]n this video, the individuals—public figures and part-owners of the Pink Whitney brand—consume and promote the product throughout a golf match. At least one participant becomes visibly and severely intoxicated, to the point of struggling to walk, speak coherently, or stand upright. Despite this, he is repeatedly encouraged by one of the owners to continue drinking Pink Whitney on camera.”



The complainant notes that “[a]dditionally, the intoxicated individual is shown operating a golf cart, and at one point steps out and nearly collapses from apparent intoxication. Operating a motor vehicle while impaired—including golf carts—is a criminal offence in many of the jurisdictions where this product is marketed, and the video’s portrayal normalizes and even glorifies this behaviour.”



The complainant adds that “[t]his content breaches multiple elements of the DISCUS Code: (1) promoting excessive and irresponsible drinking; (2) depicting someone who is clearly intoxicated; (3) encouraging further consumption by an impaired individual; (4) associating alcohol with physical activities (e.g., golf) and vehicle operation, which may give the impression that drinking enhances such activities or is compatible with them; (5) failing to apply age

restrictions, despite the video's alcohol-focused content; and (6) appealing to an underage audience, given the content's presentation style and wide reach among viewers below the legal drinking age."

The complainant concludes by stating "[f]urthermore, the owners have since made multiple public appearances referencing the incident and laughing about the intoxication, treating it as a promotional moment rather than acknowledging any misconduct. Given that these individuals directly profit from the sales and branding of Pink Whitney, the video and follow-up commentary function as brand promotion and should be held to the same standards as traditional advertising. I respectfully request that DISCUS investigate this content and issue appropriate guidance or action to ensure that the promotional conduct surrounding Pink Whitney aligns with responsible industry practices."

DISCUS Code Provisions Identified:

Responsible Content Provision No. A1 provides that "[a]ll beverage alcohol advertising and marketing materials, regardless of placement, are intended for legal purchase age adults who choose to drink. The content of beverage alcohol advertising and marketing materials should primarily appeal to individuals 21 years of age or older."

Responsible Content Provision No. A2 provides that "[m]arketing that primarily appeals to individuals under the age of 21 is inappropriate. Advertising and marketing materials are considered to 'primarily appeal' to persons below the legal purchase age if they have special attractiveness to such persons beyond the general attractiveness for persons of legal purchase age."

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."

Responsible Content Provision No. B3 provides that "[b]everage alcohol advertising or marketing materials should not portray beverage alcohol being consumed by a person who is engaged in, or is about to engage in, any activity that is illegal or requires a high degree of alertness or physical coordination, such as driving a vehicle."

Responsible Content Provision No. C5 provides that beverage alcohol advertising and marketing materials that "[p]ortrays persons in a state of intoxication or in any way suggests that intoxication is socially acceptable conduct" would violate the Code.

Responsible Placement Provision No. A1 provides that "[b]everage alcohol advertising and marketing materials are intended for legal purchase age adults who choose to drink. Thus, these materials should primarily appeal to individuals 21 years of age or older and best efforts should be taken to ensure they are placed in broadcast, cable, radio, print, and internet/digital communications where at least 71.6 percent of the audience is reasonably expected to be 21 or older."

Code Review Board Decision:

The advertiser stated that “[u]ntil we received the complaint on June 9th, we were unaware of the existence of the ‘Spittin Chiclets vs. Fore Play’ video. This was due to the fact that the video had not been submitted for review and approval in accordance with our established internal procedures. Upon receipt of the complaint, we reviewed the three-hour video, finding that multiple segments violated Responsible Content Provisions. We then immediately requested that Barstool Sports remove the video from YouTube. Barstool counsel conveyed that since there were other advertisers sponsoring the video, they could not remove it in its entirety.”

The advertiser noted “[a]t our insistence, Barstool Sports immediately edited out all Pink Whitney consumption and general intoxication from the video and allowed us to review the edited content before they reposted it on YouTube. After three rounds of our edits, we were satisfied that all of the problematic verbal and visual references to Pink Whitney consumption and general intoxication had been removed.”

The advertiser relayed that “Gallo is committed to creating advertising and marketing materials that conform to the highest standards and commitment to responsibility. We have a well-established procedure for reviewing advertising materials to ensure responsible content and execution. This ‘Spittin Chiclets’ video would not have been approved if our established process had been followed. This is a one-off anomaly. We have taken corrective actions, including an August 2025 training that has been scheduled with Barstool Sports and internal marketing teams to remind them of the importance of upholding standards of good taste, responsible use and social responsibility in all marketing and advertising materials.”

After careful consideration of the complaint and the advertiser’s response, the Code Review Board affirmed the advertiser’s acknowledgement that the New Amsterdam Pink Whitney promotional video contained violations of Responsible Content Provision Nos. A1, A2, B1, B3, and C5 and Responsible Placement Provision No. A1. The Board commends the advertiser for its swift responsive action and its commitment to undergo additional training with their internal marketing team and brand partners to enhance Code compliance.

Action by Advertiser: Upon receiving the complaint, the advertiser requested that the content subject to the complaint be removed from the video, as well as scheduled additional training on the DISCUS Code.

Status: Resolved. Responsive action taken.