

BEER INSTITUTE
CODE COMPLIANCE REVIEW BOARD

February 14, 2007

Mr. Rod Kovel
1368 Meadowbrook Road
Merrick, NY 11566

RE: "Michelob Ultra Amber - Poison Flowers" - violation of sec. 2 (d) of the Beer Institute Advertising and Marketing Code

Dear Mr. Kovel:

Thank you for using the Code Compliance Review process. You complain that the "Michelob Ultra Amber - Poison Flowers" television ad violates section 2 (d) of the Beer Institute Member Guidelines.

The board carefully considered your entire complaint while reviewing the ad itself. Our process allows us ample time and access to evaluate the impact of this ad on the viewer and discuss our individual reactions in the context of your complaint.

After thorough discussion, it is the unanimous position of the Code Compliance Review Board that there are two reasons that the "Michelob Ultra Amber - Poison Flowers" ad does not violate the guidance set out in section 2 (d) of the Beer Institute's Advertising and Marketing Code. First, section 2 (d) states that "beer advertising and marketing materials should not portray or imply illegal activity of any kind by an individual prior to, during, or after the individual consumes, purchases, or is served beer." In the advertisement you reference, there is no implication that the individual who sent the flowers was consuming beer. Second, the Review Board felt the depictions in the ad appear farcical and the theme of the advertisement is "a parody or spoof and is readily identifiable as such."

The findings of the Board are final. They will be communicated to the company responsible for the advertisement cited in the complaint. Findings will be publicly available on the Beer Institute's web site and published in an annual report. This correspondence will conclude the complaint and review process.

Though the Board did not share your position on a violation of the guidelines, we appreciate your informed use of the review process.

Sincerely,



William H. Cunningham
Acting Chairman

xc: Ms. Rory Davies
Mr. Paul Summers

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