



April 10, 2018

VIA EMAIL

Tara Hunt de Vries, General Counsel
Diageo North America, Inc.

Re: DJ Khaled's Advertising of Diageo Products

Dear Ms. Hunt de Vries:

Thank you for your April 9th letter in which you state that Diageo has “taken corrective and proactive steps in sync with [your] commitments,” including complying with all laws and regulations, ... as well as [Diageo’s] marketing code and policies.” However, given that there are more than 80 Ciroc vodka ads still appearing on DJ Khaled’s Instagram and Facebook accounts, including posts with captions such as “CELEBRATE SUCCESS RIGHT! @ciroc THE ONLY WAY ! BE READY!,” it is not self-evident that all necessary corrective action has been taken.

Diageo’s Marketing Code prohibits, among other things, sponsorship of celebrities that appeal primarily to people younger than 21, as well as implying that drinking is necessary to obtain social or other success. As such, the use of a Get Schooled spokesperson – who directly engages and motivates middle school and high school students – to market Diageo alcohol on social media platforms (which up until the end of March 2018 included the teenage favorite Snapchat) is suspect. Examples of such live posts are below:





djkhaled • Follow

djkhaled #AD It's almost the weekend !
@ciroc the only way !

Load more comments

hallybih My man

super_momvesha @kymberlytagaryen yes it is.

cartoon_gfx22 Need Some Graphics Work Done. 🤖🤖 In HD Quality 🎨🎨 And Cool Prices HMU-📩 ..

ortacris Si algo considero que me ha dado la música en clase, con fiestas de los

45,649 likes

NOVEMBER 2, 2017

Log in to like or comment. ...



djkhaled • Follow

djkhaled @ciroc vibes tonight celebrate success right ! @ciroc THE ONLY WAY ! @diddy #AD

Load more comments

reluzconnie7 @aobn05 traduce poty

sammymeyer26 @chuck_meyer_jr ciroc the only way #rememberthe 🍷's

schmidtyjr @cmulls9

crcalbuto @patluongo

taajk Still watching this @ashan_kumar @stelliosp

eviechristopher @dextermurray1

pavan26 @hawtinjuly

renzo4ever You needa put me on your beats!!! I belong making music!!!!

i_am_lilith_ 🤔🤔🤔🤔🤔🤔 u stupid

@capa_chinho_

536,355 views

AUGUST 2, 2017

Log in to like or comment. ...



Further, pursuant to Diageo’s January 2018 statement that it would be suspending all of its advertising on Snapchat due to the platform’s large underage audience, we assume Diageo has ceased using social media influencers, such as DJ Khaled, to market its alcohol products on this platform.

Finally, in light of the Distilled Spirits Council’s requirement that at least 71.6% of the audience for an alcohol ad be 21 or over, as well as Diageo’s own Marketing Code, which curiously requires a lesser percentage – 70% – of the audience to be of legal drinking age, we assume Diageo has reliable evidence demonstrating that more than 70% of DJ Khaled’s followers on Instagram and Facebook are 21 or older.

If these assumptions are incorrect, please let me know.

Sincerely,

Laura Smith, Esq.
Legal Director
Truth in Advertising, Inc.