



IAS Factsheet

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Introduction to the 4th edition of the Code of Practice on the naming, packaging and promotion of alcoholic drinks. March 2003	

The World Health Organisation's European Charter on Alcohol states:

'All children and adolescents have the right to grow up in an environment protected from the negative consequences of alcohol consumption and, to the extent possible, from the promotion of alcoholic beverages.'

As part of a strategy for alcohol action, the charter suggests that each Member State 'Implement strict controls, recognizing existing limitations or bans in some countries, on direct and indirect advertising of alcoholic beverages and ensure that no form of advertising is specifically addressed to young people, for instance, through the linking of alcohol to sports.'

The WHO Charter has been signed by all the Member States of the EU, including the UK.

Introduction

In 2004, £202.5 million was spent on alcohol advertising.¹ By beverage type the expenditures were:

	£ Millions
Beer	110.5
Cider/Perry	5.4
Wines	18.2
Spirits	51.0
Alcopops	11.2

The World Health Organisation reports that in the USA, spending on indirect promotional activities such as sponsorship, product tie-ins, contests and special promotions is around three times higher than spending on direct advertising.

If the situation in the UK is similar then the total value of promotional activity is in excess of £800 million per annum.²

The Debate About Alcohol Advertising

The alcohol and advertising industries argue that as alcoholic drink is a legal product it should be legally possible for it to be advertised, and that bans on alcohol advertising would have adverse effects on the alcohol market and on the media. They also argue that bans are not justified as advertising is concerned with promoting sales of individual brands and there is no evidence of a causal link between advertising and the overall level of alcohol consumption or the amount of alcohol-related harm.

The main counterarguments are that as well as promoting brands, advertising is also concerned with recruiting new drinkers and increasing sales among existing, and especially heavy consumers. Intensive advertising and promotion of alcohol appears to sanction and legitimate use of a product which causes high levels of damage to individuals and society. By definition, alcohol advertising is one-sided, avoiding any reference to the negative aspects of alcohol consumption. In modern circumstances, it is also necessary to enable alcohol to compete against other alternative drugs as well as soft drinks. There is in fact some evidence that bans on alcohol advertising can have beneficial effect on the level of harm, at least in the longer term.

The arguments regarding alcohol advertising are in most respects parallel to those concerning tobacco advertising. An analysis of internal documents from advertising agencies working for tobacco companies³ exposed as highly disingenuous the standard tobacco (and alcohol) industry arguments that advertising is only about expanding or protecting brand share, not total consumption, and that if there are any problems industry self-regulation is the answer.

The analysis concluded that:

- The aim was to increase consumption as well as brand share. Individual brands gain from market expansion and therefore deliberate plans were made to encourage it.
- Other industry strategies included undermining government policy and evading regulation - for example, resisting and circumventing restrictions on advertising and tax increases on tobacco products.
- Voluntary, self-regulatory codes were treated cynically, the advertising agencies playing cat and mouse with the regulatory body, pushing to the limits and avoiding the rules whenever possible.
- The young were a key target, and the imagery used in the advertising was designed to attract them, although for public consumption, care was taken always to refer to the young adult market. The lifestyles, motivations and aspirations of young people were continuously assessed. It was concluded that young people smoked for emotional reasons and that the branding could meet their needs by adding aspiration, coolness and 'street cred' to the products. This in itself was counter to the regulatory code which stipulated that cigarette ads should not suggest that smoking was associated with social success or play on the susceptibilities of the emotionally vulnerable, especially the young.
- The issue was marketing, not just advertising alone. All aspects of marketing such as price, distribution and other commercial communications such as point of sale material and direct mail were brought into play to maximise the uptake and continuance of smoking and thus to increase sales.
- Advertising and sponsorship became one, performing the same key task of promoting the all important brand images that appeal to young smokers.

Critics of the alcohol industry see many parallels here with the case of alcohol advertising and promotion.

Advertising and children

Much of the debate concerns the possible effects on children and young people. The Advertising Codes prohibit the specific targeting of minors, but the ubiquity of alcohol advertising ensures that it can hardly be missed by them.

Indeed, the evidence is that even young children are aware of alcohol advertisements and tend to remember them. Manufacturers further reduce the chances of young people failing to get the message by sponsorship of sports teams and events and music concerts having particular appeal to the young.

There is also evidence that underage drinking and the likelihood of alcohol problems in later life are closely related to positive expectations of benefit for alcohol use, precisely the expectancies advertising is designed to encourage.⁴

American studies have found that children and teenagers respond particularly positively to TV advertisements featuring animals, humour, music and celebrities. It is suggested, therefore, that policy makers should ensure that advertisements should focus on product-related characteristics, using content less appealing to children and teenagers.⁵

An American study found that heavy advertising by the alcohol industry in the US has such considerable influence on adolescents that its removal would lower underage drinking in general and binge drinking in particular. The analysis suggested that the complete elimination of alcohol advertising could reduce monthly drinking by adolescents from about 25% to about 21%, and binge drinking from 12% to around 7%. However, these estimated reductions were substantially less than those which the analysis suggested would result from significantly increasing the price of alcoholic drinks.⁶

Another American study found that youth who saw more alcohol advertisements drank more on average, each additional advertisement seen increasing the number of drinks consumed by 1%. Also, youth in markets with greater alcohol advertising expenditures drank more, each additional dollar spent per capita increasing the number of drinks consumed by 3%. Youth in markets with more alcohol advertisements showed increased drinking levels into their late 20s whereas drinking plateaued in the early 20s for youth in markets with fewer advertisements.⁷

A recent study of the impact of alcohol advertising on teenagers in Ireland found:⁸

- Alcohol advertisements were identified as their favourites by the majority of those surveyed
- Most of the teenagers believed that the majority of the alcohol advertisements were targeted at young people. This was because the advertisements depicted scenes – dancing, clubbing, lively music, wild activities - identified with young people
- The teenagers interpreted alcohol advertisements as suggesting, contrary to the code governing alcohol advertising, that alcohol is a gateway to social and sexual success and as having mood altering and therapeutic properties.

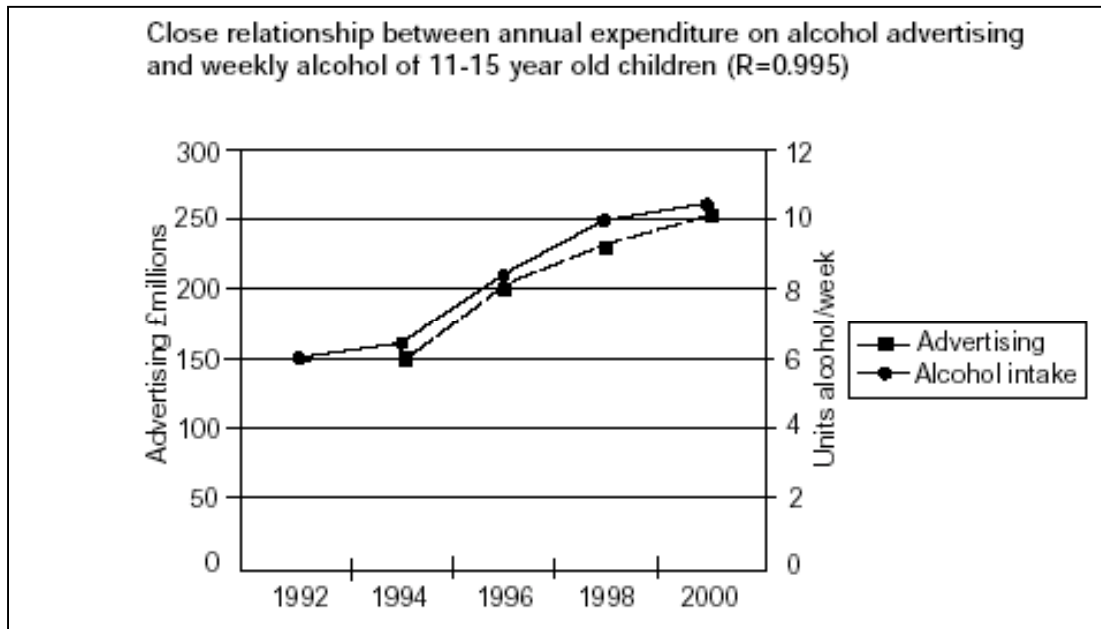
A recent review of seven international research studies⁹ concluded that there is evidence for an association between prior alcohol advertising and marketing exposure and subsequent alcohol drinking behaviour in young people. The forms of exposure included both direct exposure to advertising using broadcast and print media, and indirect methods such as in-store promotions and portrayal of alcohol drinking in films, music videos and TV programmes.

Three studies showed that onset of drinking in adolescent non-drinkers at baseline were significantly associated with exposure. One study showed that for each additional hour of TV viewing per day the risk of starting to drink increased by 9% during the following 18 months. Another found that youth with higher exposure to alcohol use depicted in popular movies were more likely to have tried alcohol 13 to 26 months later. Yet another showed that exposure to in-store beer displays significantly predicted drinking onset two years later.

Two studies demonstrated dose response relationships. In one, in Flemish school children, increased frequency of TV viewing and music video viewing was highly significantly related to the amount of alcohol consumed while going out. In the other, of individuals aged 15 to 26 years, for each additional advertisement seen the number of drinks consumed increased by 1%, and for each additional dollar spent per capita on alcohol advertisements the number of drinks consumed increased by 3%.

In their report, "Calling Time," The Academy of Medical Sciences presented the following graph, showing a high correlation between alcohol consumption by 11-15 year-olds and amount spent on advertising in current prices (i.e. actual number of pounds spent).

UK advertising expenditure at current prices and correlations with alcohol consumption 11-15 year old children: 1992-2000¹⁰



However, this correlation is vulnerable to changes in the years covered and also the choice of measure used. Including more recent data, so that the range of years covered is from 1992 to 2004, the correlation drops to 0.68. Furthermore, if expenditure is expressed in constant prices (adjusted for inflation, also known as 'real' prices), the correlation drops to -0.01, for the extended time period.¹¹

Codes of practice

The possibility that alcohol advertising can have socially adverse effects is already recognised in the special rules drawn up in relation to how, where and when alcoholic drinks can be advertised.

Since 1996, the alcohol industry's Portman Group has operated a voluntary code of practice regulating the marketing of alcoholic drinks with particular reference to young people.(See below) This covers the naming, packaging and promotion of alcoholic drinks, but not advertising.

On 1 November 2004, the Advertising Standards Authority assumed responsibility for all advertising standards and consumer complaints, both broadcast and non-broadcast.

As a result of a voluntary agreement between the manufacturers and the TV companies in 1965, spirits were not advertised on commercial television. This agreement was abandoned with effect from June 1995.

British Code of Advertising Practice

ALCOHOLIC DRINKS

With effect from 1 January 2005:

Final revised alcohol advertising rules¹²

11.8 ALCOHOLIC DRINKS

Notes to 11.8:

1. *The Notes included with 11.8.1 and 11.8.2 are, in general, simply those which clarify the scope of the rules. Additional interpretative guidance will be produced by the Broadcast Committee of Advertising practice, subject to public consultation and to Ofcom's approval*
2. *The spirit as well as the letter of the rules in this section apply whether or not a product is shown, referred to or seen being consumed. (See also rule 1.2)*
3. *Where soft drinks are promoted as mixers, rules 11.8.1 & 2 apply in full*

11.8.1 – Rules for all advertising

- a
 - 1) Advertisements must not suggest that alcohol can contribute to an individual's popularity or confidence, or that refusal is a sign of weakness. Nor may they suggest that alcohol can enhance personal qualities
 - 2) Advertisements must not suggest that the success of a social occasion depends on the presence or consumption of alcohol.
- b Advertisements must not link alcohol with daring, toughness, aggression or anti-social behaviour
- c Advertisements must not link alcohol with sexual activity or success or imply that alcohol can enhance attractiveness
- d Advertisements must not suggest that regular solitary drinking is acceptable or that drinking can overcome problems
- e Advertisements must not suggest that alcohol has therapeutic qualities nor offer it as a stimulant, sedative, mood-changer or to boost confidence. There must be no suggestion that physical or other performance may be improved by alcohol or that it might be indispensable
- f Advertisements must not suggest that a drink is to be preferred because of its alcohol content nor place undue emphasis on alcoholic strength. (This does not apply to low alcohol drinks. See 11.8.3)
- g
 - 1) Advertisements must not show, imply or encourage immoderate drinking. This applies both to the amount of drink and to the way drinking is portrayed
 - 2) References to, or suggestions of, buying repeat rounds of drinks are not acceptable

Note: This does not prevent, for example, someone buying a drink for

each of a group of friends. It does, however, prevent any suggestion that other members of the group will buy any further rounds

3) Alcoholic drinks must be handled and served responsibly

Note: 11.8.1(g)(1) and (2) do not apply to advertising for low alcohol drinks)

h Advertisements must not link drinking with the use of potentially dangerous machinery, with behaviour which would be dangerous after consuming alcohol (such as swimming) or with driving

11.8.2 – Additional rules for alcohol advertisements

a (1) Advertisements for alcoholic drinks must not be likely to appeal strongly to people under 18, in particular by reflecting or being associated with youth culture

(2) Children must not be seen or heard, and no-one who is, or appears to be, under 25 years old may play a significant role in advertisements for alcoholic drinks. No-one may behave in an adolescent or juvenile way

Notes: (1) See the exception in 11.8.2(a)(3)

(2) In advertising for low alcohol drinks, anyone associated with drinking must be, and appear to be, at least 18 years old

(3) There is an exception to 11.8.2(a)(2) for advertisements in which families are socialising responsibly. In these circumstances, children may be included but they, and anyone who is, or appears to be, under 25 must only have an incidental role. Nevertheless, it must be explicitly clear that anyone who appears to be under the age of 18 is not drinking alcohol

b Advertisements for alcoholic drinks must not show, imply or refer to daring, toughness, aggression or unruly, irresponsible or anti-social behaviour

c Advertisements for alcoholic drinks must not appear to encourage irresponsible consumption

d Advertisements for alcoholic drinks must not normally show alcohol being drunk in a working environment

e Alcoholic drinks must not be advertised in a context of sexual activity or seduction but may include romance and flirtation subject to rule 11.8.2(a) (Youth appeal)

11.8.3 – Low alcohol drinks

Exceptions to 11.8.1 and 11.8.2 apply to advertisements for drinks containing 1.2% alcohol by volume or less so long as the low alcohol content is made clear. (The exceptions are not granted if the advertising might promote a product of higher alcoholic strength or might conflict with the spirit of the rules)

The exceptions are:

(a) 11.8.2(a)(2): Anyone associated with drinking must be, and appear to be, at least 18 years old

(b) The advertisements need not comply with:

- 11.8.1(f)
- 11.8.1(g)(1) or (2)

Alcoholic Soft Drinks

In the 1990s there was much debate in the UK concerning 'alcopops', alcoholic 'soft' drinks such as lemonade and cola containing up to 5 per cent alcohol. There was concern that the marketing of such drinks using the words 'lemonade', 'cola' and 'orangeade' etc, normally associated with children, encouraged under-age drinking and that the products were being specifically targeted at children and young teenagers.

On 17th April 1996, The Portman Group announced its new guidelines which do not ban the use of the words 'lemonade' and 'cola'. An excerpt from the current Portman Group code is given as Appendix 1.

The new guidelines:

- Ban the use of characters or imagery that would appeal to under-18s;
- Ban containers in anti-social shapes and names that suggest aggression, violence, danger or sexual success;
- Require retailers to display the drinks on shelves in alcohol sections, and not mix them in chillers with soft drinks.

As the Portman group code is entirely voluntary there is no means of forcing manufacturers or retailers to comply with it who are unwilling to do so.

Alcohol Advertising in the European Union

There is a variety of national restrictions and controls and mixtures of the statutory and the self-regulatory. In terms of EU-wide legislation, the Television Without Frontiers Directive (TWF) has been incorporated into national laws. This was designed to harmonise regulations so that cross border transmissions would not contravene national regulations. Article 15 stipulates that alcohol advertising must not be aimed specifically at minors, link alcohol consumption to driving or create the impression that alcohol enhances physical performance or contributes to social or sexual success. Advertising should not encourage excessive consumption or disparage abstinence or moderation, nor should it suggest that high alcohol content is a positive quality of a brand.

The main features of national regulations are summarised below.¹³

Austria	Legal ban on advertising of spirits on TV and radio; on broadcast advertisements linking alcohol with children, driving or sport, or promoting alcohol abuse, and on sponsorship of TV and radio programmes by companies primarily concerned in alcohol production. Otherwise, self-regulatory code under auspices of the Austrian Advertising Council which prohibits advertising encouraging abuse, targeted at children or adolescents, associating alcohol with success or containing allusions to stimulating or therapeutic effects of alcohol. Advertisements are not allowed to depict alcohol consumption or people in a drunken state.
Belgium	No commercial advertising on State TV, and legal ban on spirits advertising on Commercial TV. No alcohol advertising on radio. In other media, voluntary guidelines prohibit the encouragement of 'drinking to excess' and advertisements targeted at the under 21s.
Denmark	Until 2003 there was a legal ban on alcohol advertising on Danish TV and radio channels but this was rescinded. The self-regulatory code governing content was agreed in 2000 and follows the normal guidelines eg advertisements must not be directed at minors, suggest that alcohol is good for health or improves mental or physical capacities. The code also prevents alcohol being associated with sport, alcohol sponsorship of sport and sports grounds not being allowed, nor advertising in sports magazines.
Finland	Legal ban on all alcohol advertising until 1994 when the Alcohol Act allowed advertising of alcoholic beverages up to 22% abv. The law prohibits targeting minors and imposes the usual restrictions on content – eg no depiction of excessive consumption, claims in regard to therapeutic properties or being necessary for social or sexual success, etc. In addition, advertising must not promote the idea that alcohol is refreshing.
France	The Loi Evin, which came into operation in 1993, bans the advertising of all alcoholic beverages over 1.2% abv on TV and in cinemas and also prohibits sponsorship of sport or cultural events by alcohol companies. Radio advertising of alcohol is not permitted between 5pm and midnight. As well as forbidding the targeting of minors the law also effectively outlaws 'lifestyle' advertising of alcohol products, advertisements only being allowed to refer to the actual characteristics of the product such as its brand name, ingredients, provenance, how to prepare and serve the drink etc.
Germany	By voluntary agreement most spirits are not advertised on TV. On other media, a voluntary code is in operation similar to that in the UK. Other than the Television Without Frontiers Directive the system is self-regulatory, the Code on Alcoholic Beverages Advertising dating from 1976, extended in 1998 to cover teleshopping.
Greece	As well as the TWF there are restrictions on the number of alcohol advertisements per day on each television and radio station.

Ireland	A legal ban on spirits advertising on TV and radio, and alcohol advertisements may not be shown before sports programmes. The same advertisement may not appear more than twice per night on any one channel. On other media a voluntary code is in operation.
Italy	A voluntary code similar to the UK's governs content. The 2001 Alcohol Act introduced a ban on TV and radio advertising of alcohol between 4pm and 9pm. The Act also proscribes alcohol advertising to minors across all media, and prohibits alcohol advertisements from being shown on TV within 15 minutes before or after children's programmes. The Act also requires a self-regulatory code to be provided jointly by media companies, advertising agencies and advertisers to govern alcohol advertising.
Luxembourg	Other than the Television Without Frontiers Directive the system is self-regulatory.
Netherlands	Other than the Television Without Frontiers Directive the system is self-regulatory.
Portugal	The first law regulating alcohol advertising dates from 1981.. A law in 1983 prohibited alcohol advertisements being broadcast between 6pm and 10pm. In 1995 this was amended to 7pm to 10.30pm. TWF was implemented in 1990. Advertising of beer and spirits is not permitted in cinemas or on billboards, in educational institutions or in magazines aimed at minors, or during sports or cultural events. The alcohol industry has its own self-regulatory code.
Spain	Under a law of 1990, alcoholic beverages over 20%abv cannot be advertised on TV. TWF was implemented in 1994. Regional governments have also imposed their own legislation. In Catalonia, alcohol advertising above 20%abv is also banned in streets, highways, on public transport and in cinemas, and no broadcast advertising is allowed before 9.30pm.. Self-regulatory codes are also in operation.
Sweden	Under the Swedish Alcohol Law, advertising of spirits, wine and beer above 2.25%abv is prohibited except at the point of sale and in trade journals. Foreign magazines are also allowed to carry alcohol advertisements. The compatibility of the restrictions with European Union law has been challenged. In 2003 Sweden's Market Court upheld an earlier judgement of the Stockholm District Court that a ban on all alcohol advertising is incompatible with the European Commission Treaty, though the judgement related only to press advertising. Currently, therefore, there is uncertainty about what is permitted.

Recent Developments

In November 2000 the Council of Ministers of the European Commission issued a Recommendation on Drinking of Alcohol by Children and Adolescents:

This includes recommendations in regard to the advertising and marketing of alcohol: Codes of Conduct.

In February 2001, a World Health Organization conference attended by delegations of all the countries of the WHO European Region agreed a Declaration on Young People and Alcohol which aims to protect young people from pressures to drink and to reduce the harm done to them by alcohol. The Declaration includes commitments to "Strengthen measures to protect children and adolescents from exposure to alcohol promotion and sponsorship" and to "minimize the pressures on young people to drink, especially in relation to alcohol promotions, free distributions, advertising, sponsorship and availability, with particular emphasis on special events."

Subsequently, WHO held an expert meeting on alcohol advertising and marketing at which it issued the following statement:

Declaration of the Technical Consultation to the World Health Organization on the Marketing and Promotion of Alcohol to Young People

A technical consultation to the WHO on the marketing and promotion of alcohol to young people, hosted by the Valencian Community on May 7-9, 2002, brought together 50 people from 22 countries with technical expertise in marketing, public health and community, national and international level responses.

Participants reviewed examples of alcohol marketing to young people, presented by young people and other delegates from Asia, Africa, Europe, Oceania and the Americas. The examples demonstrated that young people across the globe live in environments characterized by aggressive and ubiquitous efforts encouraging them to initiate drinking and to drink heavily.

The majority of these examples, as well as much of the expenditure on marketing, augments the substantial and influential presence of alcohol marketing in the traditional media outlets of television, radio, print and outdoor. The examples attest to the rising importance of musical, sports and cultural sponsorships, internet-based promotions and web-sites, product placements, youth-oriented new product development, on-premise and special event promotions, and other efforts to make alcoholic beverages a normal and integral part of young people's lives and cultures. The use of the complete marketing mix of products, pricing, easy availability and promotion requires a comprehensive public health response that addresses all of these marketing variables.

Research evidence suggests that young people respond to this marketing on an emotional level, changing their beliefs and expectations about drinking. The marketing clearly influences young people's decision to drink. Exposure to and enjoyment of alcohol advertising predicts heavier and more frequent drinking among young people. The marketing contributes to young people over-estimating the prevalence of heavy and frequent drinking among their peers, and creates a climate for further increases in alcohol consumption by young people.

Alcohol marketing presents a one-sided view of alcohol use, masking its contribution to morbidity, mortality and social harm. It affects social norms about drinking throughout society, and contributes to an environment hostile to public health measures and messages.

Current responses are piecemeal and inadequate, and have done little to control the marketing of alcohol products. Evidence suggests that self-regulation by the alcohol, advertising and media industries is ineffective. Media literacy, training young people to decode and resist marketing messages, by itself is insufficient to address the emotional and non-logical appeal of the marketing. New responses are required. The global nature of the marketing demands a response at international, national and local levels.

We make the following general recommendations:

Noting the dangers inherent in the exposure of young people to alcohol marketing, and the general failure of industry self-regulation to limit the marketing of alcohol to young people,

We recommend that the WHO assist countries in taking all legislative or regulatory steps necessary to ensure that young people are not exposed to promotional messages about alcohol.

Noting that the alcohol industry has achieved a high level of sophistication in its use of media to attract and encourage young people to drinking,

We recommend that the WHO assist countries in raising awareness of these techniques, and developing best practices in media advocacy and counter-advertising programs, and that such practices be undertaken independently of commercial interests, and with participation of and leadership from young people themselves.

Noting the importance of young people's perspectives on this problem, and the creativity and unique knowledge of the situation that they possess,

We recommend that young people play a central role in the work to free their generation from the illusions created by marketing and associated promotions of alcohol.

Noting the threats posed by trade agreements, negotiations and disputes to the ability of jurisdictions to protect the public health through the regulation of the marketing of beverage alcohol, and that there is a particular potential threat from the current negotiations on the General Agreement on Trade in Services,

We recommend that the WHO formulate a strategy to ensure that current negotiations on the services agreement do not undermine the rights and capacities of jurisdictions to set appropriate and public health-oriented alcohol policies.

The ELSA Project

The ELSA Project (Enforcement of National Laws and Self-regulation in Advertising and Marketing of Alcohol)¹⁴ a two-year project funded by the European Commission, examined the enforcement of national laws and regulations in all EU member states, the applicant countries and Norway. The main conclusions of the study were:

- 1 Alcohol advertisements are related to positive attitudes and beliefs about alcohol amongst young people, and increase the likelihood of young people starting to drink, the amount they drink, and the amount they drink on any one occasion.
- 2 There is no available scientific evidence which shows that the non-statutory regulation of commercial communications impacts on the content or volume of advertisements
- 3 There is great variety in regulations related to the advertisement of alcoholic products in the European Member States
- 4 There is very little documentation on adherence to the existing regulations
- 5 The most appealing alcoholic beverages and alcohol advertisements to young people use elements associated with youth culture
- 6 There is no informative body which systematically monitors the impact of regulations on alcohol marketing and its adherence

The main recommendations of the study were:

Article 95(3) of the Treaty of the European Union requires the Commission, in its proposals for the establishment and functioning of the Internal Market concerning health, to take as a base a high level of protection. An approximation of the European countries' advertising laws, including statutory regulations and a ban in certain media would protect young people, reduce the risk of dependence and reduce the risk of untimely death, a proposal that is in line with European case law which has noted that it is in fact undeniable that advertising acts as an encouragement to consumption and that restrictions on the volume of advertising are appropriate to protect public health.

- 1 Europe wide and country based policy on alcohol marketing should address the advertising and promotion of alcohol products through all media and the sponsorship of arts, cultural, musical and sporting events
- 2 Europe wide and country based policy on alcohol marketing should be based on the scientific evidence of what works, and on public health principles that protect vulnerable populations
- 3 In order to protect young people and other vulnerable groups, alcohol marketing restrictions at European and country levels should be strengthened

- 4 European and country based regulations on alcohol marketing should be aimed at:
- a restricting the placement of alcohol marketing to reduce exposure to young people
 - b limiting alcohol marketing that is misleading about the characteristics or effects of alcohol
 - c prohibiting alcohol marketing that appeals to minors and other vulnerable groups
 - d including information that alcohol is not a risk free product

The latter objectives may be realized by restricting marketing to information about the product and only referring to the origin, composition, strength (% alcohol) and means of production

- 5 Statutory agencies, which should operate independently from the alcohol and marketing industries, should be designated responsible for enforcement of marketing restrictions at the country levels to ensure that:
- a violations do not occur
 - b violations are dealt with as quickly as possible
 - c effective penalties are incurred for violations

- 6 The European Union and countries should work together to:
- a explore agreements and mechanisms to restrict the marketing of alcoholic beverages at the European level, ensuring a standard and equal system across Europe
 - b develop standards based on the best available evidence to reduce exposure and ensure that content does not influence the drinking expectancies and behaviour of young people
 - c develop technologies and other means necessary to regulate cross-border marketing, including the internet and mobile phone use
 - d recognise that countries which have a ban on certain forms of alcohol marketing have the sovereign right to maintain such a ban

- 7 Systems at country and European levels should be established to provide sustainable monitoring and surveillance of alcohol marketing including:
- a documenting and tracking all existing regulations on alcohol marketing practices
 - b monitoring media use and exposure to young people
 - c monitoring young people's perceptions to alcohol marketing practices
 - d monitoring new technologies and types of media
 - e monitoring cross border marketing
 - f documenting violations of existing regulations

Appendix 1

Introduction to the Fourth Edition of the Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks

(Fourth Edition of the Code introduced in June 2007, comes into full effect on 1 January 2008)

- 1.1 This Code seeks to ensure that alcohol is promoted in a socially responsible manner and only to those over 18.
- 1.2 The Code applies to the naming, packaging and promotional material and activity of all pre-packaged alcoholic drinks which are marketed for sale and consumption in the UK.
- 1.3 The code complements and is consistent with the Broadcast committee of advertising practice (BCAP) TV advertising standards code, the BCAP radio advertising standards Code and the British Code of Advertising, sales promotion and direct marketing (the CAP code), all of which are administered by the advertising standards authority (ASA)*. The Code does not apply to any broadcast or non-broadcast advertising within the scope of the BCAP or CAP Codes. The Code Secretariat may refer a complaint received under this Code to the ASA if it considers that the complaint is more appropriately dealt with under the BCAP or CAP Codes.
- 1.4 The Code does not apply to wholesaler- or retailer-led promotional materials and activities, other than where a wholesaler or retailer is defined as a producer under paragraph 2.10. On-trade promotions, however, should comply with the Standards on Point of Sale Promotions issued by the British Beer and Pub Association, which are also supported by the Association of Licensed Multiple Retailers.
- 1.5 The Code does not apply to any materials or activities whose purpose is solely and clearly to educate under-18s about the use and misuse of alcohol.
- 1.6 The Code is to be applied in the spirit as well as in the letter. In judging compliance with the Code, the matter should be looked at broadly and with regard to all the circumstances including (but not limited to) the drink and any other relevant matters, including the overall impression conveyed.
- 1.7 It is the responsibility of all companies connected with the alcoholic drinks industry in the UK (whether as producers, importers, wholesalers or retailers) to comply with this Code. This includes the provision of adequate and appropriate briefings to external agencies from whom companies may commission design or promotional work.
- 1.8 Companies may indicate their support for the Code and their willingness to abide by the decisions of the Independent Complaints Panel by

becoming Code Signatories. Not doing so, however, does not mean that their products are outside the provisions of the Code.

1.9 Drinks industry trade associations may also express their support for the Code by becoming Code Signatories.

1.10 The text of this Code supersedes all previous editions. Complaints received on or after 1 January 2008 will be considered under this Code.

* Ofcom contracted-out day-to-day responsibility for broadcast (TV and radio) advertising to the ASA and BCAP in November 2004. Ofcom acts as a backstop regulator to the ASA for TV and radio advertising

Institute of Alcohol Studies
4 January 2008

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