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## Regulation of alcohol advertising: Policy options for Australia

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### Abstract

A systematic search of academic databases was conducted to identify all refereed papers published between 1990 and 2012 on the regulation of alcohol advertising in Australia and three comparison countries (New Zealand, Canada and the UK). This paper reviews the codes that apply to alcohol advertising in each of the four countries, research into the effectiveness of these codes, and the small body of research into consumer attitudes towards alcohol advertising regulation. This review adduces considerable evidence that alcohol advertising influences drinking behaviours, and that current regulatory systems based on co-regulation and voluntary regulation (as is the case in Australia) are ineffective. Recommendations are provided regarding the three pillars of regulation: volume restrictions, content restrictions, and infrastructure to support the regulatory environment.

### Keywords

australia, advertising, alcohol, options, regulation, policy

### Disciplines

Education | Social and Behavioral Sciences

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# Regulation of alcohol advertising: Policy options for Australia<sup>1</sup>

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## Abstract

A systematic search of academic databases was conducted to identify all refereed papers published between 1990 and 2012 on the regulation of alcohol advertising in Australia and three comparison countries (New Zealand, Canada and the UK). This paper reviews the codes that apply to alcohol advertising in each of the four countries, research into the effectiveness of these codes, and the small body of research into consumer attitudes towards alcohol advertising regulation. This review adduces considerable evidence that alcohol advertising influences drinking behaviours, and that current regulatory systems based on co-regulation and voluntary regulation (as is the case in Australia) are ineffective. Recommendations are provided regarding the three pillars of regulation: volume restrictions, content restrictions, and infrastructure to support the regulatory environment.

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The 2011 Australian School Students Alcohol and Drugs (ASSAD) Survey found that 59.3 percent of 17 year-olds and an alarming 9.1 percent of 12 year-olds had consumed alcohol in the month preceding the survey; and 37 percent of those respondents consumed alcohol at a risky level for short-term harm (increasing from 11.2 percent of 12 year-old 'current drinkers' to 50.7 percent of 17 year-olds) (White and Bariola 2012).

The National Alcohol Indicators Project has estimated that over 80 percent of all alcohol consumed by 14–17 year-olds is drunk at a level that poses short-term risk of injury, and that each year over 3,000 under-aged drinkers are hospitalised for alcohol-related injury in Australia (Chikritzhs and Pascal 2004).

Additionally, 28 percent of males and 15 percent of females aged 18–24 years report that their use of alcohol has jeopardised their safety, 11 percent and 16 percent (respectively) that it has caused problems with their family and/or friends, 13 percent and 16 percent that it has interfered with their work, and 8 percent and 2 percent that it has led to problems with the police (Australian Bureau of Statistics 2008).

Australia clearly has a drinking problem – and it is not, contrary to media portrayals, limited to a small group of 'other people'. In 2010, 20.1 percent of Australians drank at risky levels for long-term harm (consuming a daily average of more than 2 standard drinks per day); and 39.8 percent at risky levels for short-term

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harm (more than 4 drinks during a single drinking occasion) (AIHW 2011). The cost to the community of alcohol consumption in Australia in 2004/05 was estimated to be \$15.3 billion (Collins and Lapsley 2008).

The National Preventative Health Taskforce reported that, based on a study of the cost-effectiveness of interventions, governments could achieve more than 10 times the health gain by reallocating (without increasing) their current investments in programs to reduce alcohol-related harms (Doran et al. 2010). The interventions identified as comprising the optimal packaged approach (in order of cost-effectiveness) were: volumetric taxation; advertising bans; increasing the minimum drinking age to 21 years; brief interventions in primary care; licensing controls; drink-driving mass media campaigns; and random breath testing (Doran et al. 2010).

### **The role of advertising**

Alcohol advertisements become salient and attractive to young people in early adolescence, between the ages of 10 and 14 (Aitken et al. 1988; Kelly and Edwards 1998). Early adolescence is characterised by heightened self-consciousness, identity concerns, and the need for individuation – hence young adolescents are particularly receptive to advertisements that define adult status and provide information on self-presentation (Covell et al. 1994). Adolescents display ‘pseudostupidity’ in their reasoning about advertisements (Linn et al. 1984), adopting the criteria emphasised in the advertisements as evaluation criteria for the product; thus their decision making criteria are in part a function of the advertisers’ claims (Covell et al. 1994). It has been shown that the perception of peer substance use is a better predictor of initiation than actual peer use (Grube et al. 1986) and it has been suggested that this is another mechanism by which advertising encourages adolescent drinking (Covell et al. 1994).

There is a growing body of research into the effects of alcohol advertising on young people, with a general level of agreement that there is an association between exposure and alcohol expectancies – i.e. beliefs about the effects of alcohol (Lipsitz et al. 1993; Stacy et al. 2004), drinking intentions (Grube and Wallack 1994; Kelly and Edwards 1998), and current or future drinking (Casswell and Zhang 1998; Wyllie et al. 1998).

Three recent longitudinal studies (Stacy et al. 2004; Ellickson et al. 2005; Snyder et al. 2006) have been credited with providing much-needed evidence of the direct relationship between advertising exposure and youth drinking, with important implications for policy change in this area. However, these studies have focused on econometric analyses of advertising spending at the state or community level and its association with alcohol consumption (Snyder et al. 2006), and/or on associations between individual self-reported exposure to alcohol advertising and current and later drinking behaviours (Stacy et al. 2004; Ellickson et al. 2005; Snyder et al. 2006).

Studies of youth exposure to alcohol advertising have been criticised for ignoring the messages in the advertisements, and focusing solely upon their frequency. Australian research has found that alcohol advertisements contain imagery and messages that young people interpret as suggesting that alcohol consumption will have positive psychological and social outcomes (Jones and Donovan 2001; Jones et al. 2008; Jones et al. 2009). Research from New Zealand has demonstrated that young people use alcohol (and alcohol brands) as a way of communicating their identity and that alcohol marketers are developing increasingly sophisticated messages and strategies to engage young people in this process (McCreanor et al. 2005a; 2005b).

## Purpose of the paper

As reported in *The Lancet*, an extensive review of alcohol policy worldwide concluded that ‘Making alcohol more expensive and less available, and banning alcohol advertising, are highly cost effective strategies to reduce harm’ (Anderson et al. 2009). However, calls to ban or restrict alcohol advertising in Australia, like calls to increase price (with the notable exception of the alcopop tax), have been rejected by successive governments.

There is increasing evidence that alcohol consumption is influenced by alcohol advertising, but no systematic evidence exists on the nature and effectiveness of policies to regulate alcohol advertising *messages*. This paper aims to provide clear information for policy makers on firstly the effectiveness of Australia’s current system of regulating the content of alcohol advertising; and secondly how this differs from (or is consistent with) the systems of New Zealand, Canada and the UK. Finally, it will put forward recommendations for effective strategies to monitor and regulate alcohol advertising message content for the protection of children and young people.

## Method

We conducted a systematic search of academic databases to identify all refereed papers published between 1990 and 2012 on the regulation of alcohol advertising in Australia, New Zealand and the two comparison countries (Canada and the UK).

The search was conducted in six databases (ProQuest, Science Direct, PsycInfo, Scopus, Expanded Academic, and Web of Science) using the keywords ‘alcohol’ AND ‘advert\*’ AND ‘Australia OR New Zealand OR Canada OR United Kingdom’. This resulted in a total of 334 articles. 211 were immediately excluded, as they did not relate to alcohol advertising and/or policy (e.g. were on tobacco or drug use, sexual health and risk-taking, or the physiological, health or social effects of alcohol consumption). The abstracts of the remaining 123 articles were reviewed by the two authors; articles were included if they related to the regulation of alcohol advertising in one or more of the four countries. Articles were excluded if they were not about alcohol advertising (e.g. focused on pricing, road safety or counter-advertising); were about general advertising effects, other forms of alcohol marketing, alcohol counter-advertising, or from a country other than the four under study (although some of these references are cited below where they address aspects not explored in the identified body of research).

An additional (separate) search was conducted to identify published articles on community attitudes to alcohol advertising/regulation; using the same databases and the keywords ‘alcohol’ and ‘advert\*’ and ‘attitude OR opinion OR community OR consumer’. This resulted in a total of 425 articles. 126 were immediately excluded, as they did not relate to alcohol. A further 106 were excluded, as they did not cover alcohol advertising and community attitudes. The abstracts of the remaining 20 articles were reviewed by the two authors; articles were included if they reported on community attitudes to alcohol advertising in one of the four countries. As this left only seven articles, three of which reported on the same data set, the search was expanded to published reports. This resulted in the inclusion of two additional pieces of Australian research.

The following section outlines the codes that apply to alcohol advertising in each of the four countries, followed by a summary of research into the effectiveness of these codes, and finally the small body of research into consumer attitudes towards alcohol advertising regulation.

## Alcohol advertising regulation

The regulatory codes<sup>2</sup> governing alcohol marketing in the four target countries are:

- Australia: Australian Association of National Advertisers (AANA) Code of Ethics; Alcoholic Beverages Advertising Code (ABAC);
- New Zealand: Advertising Standards Authority (ASA) Code of Ethics; Code for Advertising and Promotion of Alcohol (CAPA);
- Canada: Advertising Standards Canada's (ASC) Canadian Code of Advertising Standards; Canadian Radio-Television and Telecommunications Commission's (CRTC) Code for Broadcast Advertising of Alcoholic Beverages;
- UK: Broadcast Committee of Advertising Practice (BCAP); Committee of Advertising Practice (CAP); and Portman Group.

We identified 21 clauses or themes covered in the codes (Table 1). Some of these clauses are consistent across all four countries, such as prohibitions on alcohol advertisements that appeal to children or feature young people; suggesting that alcohol consumption contributes to personal, social, business, sporting or sexual success; associating alcohol consumption with driving; portraying or encouraging excessive consumption; and promoting an alcohol product on the basis of its strength or potency. The consistency of these clauses across the four countries suggests a universal agreement that such messages are inappropriate in alcohol advertising. However, as shown in the sections that follow, it is evident that the regulatory systems do not (in the eyes of experts and consumers) actually prevent such messages being conveyed.

### *Australia*

There are some restrictions on the placement of alcohol advertising, for example in relation to television and outdoor media. The broadcast of alcohol advertisements on commercial television is only permitted during periods of M (mature classification), MA (mature audience classification) or AV (adult violence classification) programs (these are restricted to between 8:30 pm and 5:00 am). The one (somewhat counter-intuitive) exception to this is that alcohol advertisements are permitted during the live broadcast of sporting events on weekends and public holidays (Free TV Australia 2004). The potential impact of this exception on the vulnerable audience of young people who may watch sport on television has received surprisingly little attention or investigation (Jones et al. 2010). From 31 March 2009, The Outdoor Media Association has limited 'the advertising of alcohol products on fixed signs that are located within a 150 metre sight line of a primary or secondary school' *except* 'where the school is in the vicinity of a club, pub or bottle shop or any other venue that sells alcohol products' (OMA 2009).

However, the content of alcohol advertising in Australia is covered by two (presumably complementary) industry self-regulation codes. While the Australian system is described by the Alcoholic Beverages Advertising Committee as quasi-regulatory <[www.abac.org.au](http://www.abac.org.au)>, it is generally accepted that it is a self-regulatory system: the management committee consists of representatives of the three main ind-

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<sup>2</sup> Details of each of these codes are provided in the following section

**Table 1** Features of Alcohol Marketing Regulatory Codes in Australia, Canada, New Zealand and the UK

Regulatory Code	Australia	New Zealand	UK			Canada
	AANA & ABAC	ASA & CAPA	BCAP	CAP	Portman Group	ASC & CRTC
Youth appeal	Yes	Yes	Yes	Yes	Yes	Yes
Feature children/underage	Yes	Yes	Yes	Yes	Yes	Yes
Personal/social/ business/sporting success	Yes	Yes	Yes	Yes	Yes	Yes
Sexual Success	Yes	Yes	Yes	Yes	Yes	Yes
Driving	Yes	Yes	Yes	Yes	No	Yes
Dangerous machinery	Yes	Yes	Yes	Yes	No	No
Sports	Yes	Yes	Yes	Yes	No	No
Drinking behaviour/ excessive consumption	Yes	Yes	Yes	Yes	Yes	Yes
Aggression, toughness	No	Yes	Yes	Yes	Yes	Yes
Strength (alcohol content) and Power	Yes	Yes	Yes	Yes	Yes	Yes
Association with skill, care or mental alertness	No	No	No	No	No	Yes
Language	Yes <sup>2</sup>	No <sup>1</sup>	No	No	No	Yes
Discrimination/vilification	Yes <sup>2</sup>	No <sup>1</sup>	No	No	No	No
Violence	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes	Yes	No	No
Sexuality and nudity	Yes <sup>2</sup>	No <sup>1</sup>	Yes	Yes	No	No
Relaxation/therapeutic benefit	Yes	Yes	Yes	Yes	No	No
Health and safety	Yes <sup>2</sup>	Yes <sup>2</sup>	Yes	Yes	No	No
Placement/timing/frequency	No	Yes	Yes	Yes	No	No
Age verification (websites)	No	Yes	No	No	Yes	No
Sport sponsorship restrictions	No	Yes	No	No	No	No
Competition prizes	No	Yes	No	No	No	No

<sup>1</sup> No specific reference to ‘language’, ‘discrimination’ or ‘nudity’ but several references to ‘offensiveness’

<sup>2</sup> AANA (general advertising) Code of Ethics (Australia); ASA Code of Ethics (New Zealand)

ustry bodies, the communications council, and a government representative; membership of the scheme is voluntary; there are no sanctions; and the registered address of the Committee is that of the major industry organisation.

Following the demise of the Advertising Standards Council in 1996, the major industry body (the Australian Association of National Advertisers (AANA)) developed the Advertiser Code of Ethics illustrated in Appendix A, which applies to all forms of advertising. It also established the Advertising Standards Board (ASB) and the Advertising Claims Board (ACB) to deal with complaints and breaches of the code. The ASB administers the code, which is funded by an industry body called the Australian Advertising Standards Council Ltd (AASC).

The alcohol industry also separately developed its own code, the Alcoholic Beverages Advertising Code (ABAC), and its own complaints management system, the Alcohol Beverages Advertising Code Complaints Adjudication Panel.<sup>3</sup> This Panel reports to the Alcohol Beverages Advertising Code Management Committee, which is responsible for overseeing the ABAC. Both the Alcohol Beverages Advertising Code and the complaints management system operate under the structure developed by the

<sup>3</sup> Other industries that have their own Codes of Practice to address category-specific issues include: Therapeutic Goods (TGA, Self-Medication Industry and the Complementary Healthcare Council); Prescription Medicines (Medicines Australia); and Motor Vehicles (Federal Chamber of Automotive Industries)

AANA. However, in the late 1990s and early 2000s the effectiveness of the regulatory system was questioned (Jones and Donovan 2001; Jones and Donovan 2002), and there were increasing public calls for an overhaul of the regulatory system (Ligerakis 2003; Ryan 2003). Following a formal review of the ABAC by the Ministerial Council on Drug Strategy in 2003, the code was revised to improve its responsiveness and general accountability (National Committee for the Review of Alcohol Advertising 2003).

A significant feature of the 2004 revision was that, for the first time, alcohol beverage advertising on the internet was included (ABAC 2004). Other changes were the inclusion of a government representative and an expert in the field of public health on the management committee; expansion of industry coverage to allow alcohol producers who were not members of one of the three industry associations to become signatories; the commitment of the ASB to sending every complaint received to ABAC's Chief Adjudicator to make a determination as to whether the complaint fell within ABAC's remit; a commitment by the management committee members to publishing an annual report and making the code available via their websites; an extension of the code to include event-based promotions; and the inclusion in the preamble of formal commitment to adhere to the intent (and not only the letter) of the code.<sup>4</sup> From 31 October 2009 ABAC provisions also applied to product naming and packaging, and the Code was renamed the Alcohol Beverages Advertising (and Packaging) Code (see Appendix B).

Individuals concerned about an alcohol advertisement can lodge a complaint with the Advertising Standards Board via email, letter, fax or the website (although the system is set up in such a way as to suggest that online submissions are the only option).<sup>5</sup> Since the revision of the ABAC, all complaints received by the ASB against alcohol advertisements must be forwarded to the ABAC Complaints Adjudication Panel for determination.

### *New Zealand*

Alcohol advertising in New Zealand, like Australia, is primarily self-regulated. New Zealand's Advertising Standards Authority (ASA) was formed in 1973 and incorporated in 1990. The ASA consists of representatives from the major media and advertising industry organisations. In March 1988, the ASA established the Advertising Standards Complaints Board (formerly known as the Advertising Standards Council) to administer the ASA's Codes of Practice. The ASCB consists of five public representatives with no connection to media or advertising groups, and four representatives of media, advertising agencies, and advertisers.<sup>6</sup>

The New Zealand ASA code of ethics, which covers advertising across all product categories, is shown in Appendix C.

The Code for Advertising and Promotion of Alcohol 'is designed to ensure that alcohol advertising and promotion is consistent with the need for responsibility and moderation in merchandising and consumption, and does not encourage consumption by minors' (ASA 2012). The Code (see Appendix D) covers advertising and

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<sup>4</sup> See their website at <[www.asa.co.nz/ascb.php](http://www.asa.co.nz/ascb.php)>. Details of all changes made to the Code since 2004 can be found at <[www.abac.org.au/files/ABACDevelopmentReport.pdf](http://www.abac.org.au/files/ABACDevelopmentReport.pdf)>

<sup>5</sup> Visitors to the ASB website are provided with information about the system <[www.adstandards.com.au/process/theprocesssteps](http://www.adstandards.com.au/process/theprocesssteps)>, and a 'lodge a complaint' button which takes them through a series of questions and then requires them to enter information. No address or fax details are provided and visitors are not provided with options for lodging complaints. If you scroll to the bottom of the screen there is a 'contact us' in fine print.

<sup>6</sup> We note that (as at 29 January 2013) there were six people named as the five current community members and eight people named as the four current industry representatives <[www.asa.co.nz/ascb.php](http://www.asa.co.nz/ascb.php)>.

promotion of all pre-packaged and bulk alcoholic drinks with an alcoholic strength above 1.15 percent alcohol by volume, which are advertised and promoted for sale and consumption in New Zealand.

It should be noted that, while there are some similar clauses regarding the nature of alcohol advertising appeals (such as associations between alcohol consumption and success, and alcohol consumption and hazardous activities), the New Zealand ASA Code is far more comprehensive than the Australian ABAC Code. Notable inclusions (in relation to the protection of children) are the prohibition of featuring or referencing identifiable heroes or heroines of the young, restrictions on competitions, and guidelines for sponsorship and sponsorship advertising.

Complaints about advertisements can be lodged with the ASA in writing or online; unlike the Australian ASB, the address for written complaints is clearly provided on the website under 'How to make a complaint'. However, consistent with the Australian system, if a complaint is upheld the advertiser is asked to voluntarily remove the advertisement (there are no enforceable penalties).

### *United Kingdom*

The UK has a system of co-regulation of alcohol advertising, which covers broadcast advertising but not sponsorship. Ofcom (the UK communications regulator) contracted out responsibility for the broadcast advertising regulatory system in 2004. The Advertising Standards Authority (ASA) administers the broadcast advertising code; this includes investigating and adjudicating complaints, and proactive monitoring and compliance work.

The Broadcast Committee of Advertising Practice (BCAP), which is an advertising industry populated body, developed the broadcast advertising code. The BCAP Code contains specific rules governing alcohol advertising for the protection of children. These include:

- a prohibition on marketing to children;
- a requirement that advertisements for alcoholic drinks must not be likely to appeal strongly to people under the age of 18 years, or reflect or associate with youth culture;
- a requirement that children must not be seen or heard, and no one who is, or appears to be, under the age of 25 may play a significant role in alcohol advertisements;
- a requirement that no-one may behave in an adolescent or juvenile way. (Broadcast Committee of Advertising Practice (BCAP) 2010).

BCAP also has rules on the scheduling of alcohol advertising, stipulating that alcoholic drinks may not be advertised in or adjacent to children's programs or programs commissioned for, principally directed at, or likely to appeal particularly to audiences below the age of 18. However, despite BCAP administering the code, Ofcom retains ultimate competency and powers of adjudication over the Broadcast Advertising Code. TV and radio sponsorship is regulated by the same codes, but those rules are applied directly by Ofcom. This is because sponsorship is seen as affecting the integrity of programming, so the program regulator retains competency for regulation in this area. Television advertising for alcohol is also subject to a pre-clearance system.

Beyond this, a system of self-regulation for alcohol marketing is in operation. Non-broadcast marketing of alcoholic beverages in the UK is governed by a self-regulatory code of conduct: The British Code of Advertising, Sales Promotion and Direct Marketing, by the Committee of Advertising Practice (CAP). CAP is an industry body that also operates a voluntary copy service for non-broadcast advertisers. The CAP code states that marketing communications should not be directed at people under 18 through the style of presentation, content or context in which they appear; that marketing communications should not be associated with people under 18 or reflect their culture; and that people shown drinking or playing a significant role should neither be, nor look under 25, and should not be shown behaving in an adolescent or juvenile way (CAP 2010).

The Portman Group is an industry group composed of alcohol producers and brewers in the UK. It acts as wholly self-regulatory body for the alcohol industry and has a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. This code applies to marketing practices not covered by the ASA/CAP/BCAP system. It contains provisions specific to youth by stating that alcohol, its packaging, and any promotional material or activity should not in any direct or indirect way appeal to under 18s (The Portman Group 2008). The Social Responsibility Standards for the Production and Sale of Alcoholic Beverages is a self-regulatory document, drafted by the alcohol industry and is not a code as such, but instead offers guidance on best practice on the production and sale of alcohol (Advertising Association et al. 2005). Appendix E illustrates the main features of the alcohol advertising regulatory codes in the UK.

The Responsible Retailing of Alcohol Guidance for the Off-Trade code, produced by alcohol retailers, includes advice on the positioning of alcohol in-store, alcohol promotions, and staff training. The code also covers alcohol promotion in broadcast and non-broadcast marketing, and prohibits irresponsible marketing encouraging excessive consumption, appealing to young people, or implying sexual prowess. This covers all marketing, TV, radio and in-store. The code is produced by a consortium of retailers (Association of Convenience Stores et al. 2004).

### *Canada*

In Canada, a shared system of responsibility for co-regulating alcohol advertising is in operation. Alcohol advertising is statutorily regulated at the federal government level under the Canadian Radio-Television and Telecommunications Commission's (CRTC) Code for Broadcast Advertising of Alcoholic Beverages (see Appendix F). Also, individual provincial/territorial governments in Canada have legislation controlling alcohol advertising, for example the Alcohol and Gaming Commission of Ontario (AGCO) issues the AGCO Liquor Advertising Guidelines, covering all aspects of alcohol marketing (Alcohol and Gaming Commission of Ontario 2011). Finally, the advertising industry is regulated through Advertising Standards Canada's (ASC) Canadian Code of Advertising Standards (National Alcohol Strategy Working Group 2007).

The regulatory system in Canada was introduced in 1997, at which point the process for approving alcohol advertisements was relaxed, and an increased role for industry self-regulation was brought in. Compliance with the CRTC Code is enforced through a voluntary pre-clearance process overseen by the ASC. Otherwise, the ASC reviews alcohol advertisements against the regulations only when a complaint is lodged. Consequently, alcohol advertisements that are in breach of the regulatory codes can continue to air until a complaint is filed.

## Does the system work?

### *Exposure to young people*

There is a substantial body of evidence showing associations between:

- ad liking and underage drinking (Austin and Nach-Ferguson 1995);
- exposure and alcohol expectancies (Lipsitz et al. 1993; Grube 1995);
- exposure and drinking intentions (Austin and Meili 1994; Grube and Wallack 1994; Kelly and Edwards 1998); and
- exposure and current or future drinking (Atkin 1990; Connolly et al. 1994; Casswell and Zhang 1998; Wyllie et al. 1998).

While the direction of causation cannot be determined from cross-sectional studies, more recently a number of longitudinal studies have been conducted indicating that alcohol advertising does predict increased alcohol consumption among young people (Anderson et al. 2009).

For example, in a study of over 2,000 middle school students in Los Angeles (Stacy et al. 2004), exposure to television alcohol advertisements in the seventh grade was associated with a 44 percent increase in odds of beer drinking (95 percent, *ci* 27–61 percent), a 34 percent increase in odds of wine/spirits drinking (95 percent, *ci* 17–52 percent) and a 26 percent increase in odds of consuming three or more drinks on one occasion during the past 30 days (95 percent, *ci* 8–48 percent).

Similarly, among 3,000 South Dakotan high school students, exposure to beer concessions at sports or music events in seventh grade predicted onset of drinking by ninth grade ( $OR = 1.42, p < 0.05$ ), while exposure to magazine advertising for alcohol (coefficient = 0.10,  $p < 0.05$ ), and to beer concessions at sports or music events (coefficient = 0.09,  $p < 0.05$ ), predicted frequency of drinking in ninth grade (Ellickson et al. 2005).

A subsequent study found that, after adjusting for covariates, exposure to alcohol marketing – beer concession stands ( $OR = 1.01, ci\ 0.91–1.13$ ), in-store advertising ( $OR = 1.03, ci\ 0.92–1.14$ ), and ownership of promotional merchandise ( $OR = 1.76, ci\ 1.23–2.52$ ) – in sixth grade predicted seventh-grade drinking and intentions to drink; and young people exposed to more alcohol advertising were 50 percent more likely to report alcohol consumption (Collins et al. 2007).

A study of exposure to outdoor advertisements (e.g. billboards and bus stops) and storefront advertising during sixth grade found that exposure predicted alcohol attitudes ( $f = 4.62, p < 0.05$ ), and intentions ( $f = 6.29, p = 0.01$ ) at eighth grade among sixth-grade non-drinkers after adjusting for a range of potential confounding variables (Pasch et al. 2009). A further study by Snyder et al. (2006) found that for each additional alcohol advertisement a young person was exposed to (above the monthly youth average of 23), alcohol consumption increased by 1 percent (event rate ratio = 1.01, *ci* 1.001–1.021); and seeing more or fewer advertisements in a particular month than an adolescent typically saw was a predictor of drinking (event rate ratio = 1.002, *ci* 1.001–1.003).

It should be noted that consumer studies examining the impact of exposure to alcohol advertising on youth drinking often differ in what they measure, for example studies vary in examining the effect of exposure to different types of alcohol advertising (e.g. television advertising, branded merchandise, in-store displays), in outcome measures recorded (e.g. frequency of drinking, initiation of drinking, amount in units of alcohol consumed) and statistical outcomes reported (e.g. odds ratios, p

values, *f*-distributions). Partly as a result of these measurement and other methodological differences, the reported effect sizes vary in strength, even where they are statistically significant, particularly when the range of the confidence intervals are taken into account. However, despite these methodological differences (especially in respect of outcomes) across the individual studies, the cumulative impact of alcohol marketing on adolescent drinking is substantial and substantiated.

Recently, systematic reviews of the evidence base have been made possible by the emergence of a number of longitudinal cohort studies. These examined the effect of exposure to alcohol advertising on changes in drinking behaviour among individuals between two or more time points. Anderson et al. (2009) conducted a systematic review of studies examining the association between alcohol advertising and promotion, the portrayal of alcohol in mass media, and adolescent drinking. The review included only longitudinal studies in which adolescents' drinking behaviours and exposure, receptivity or attitudes to alcohol advertising or brand awareness were measured at baseline, and adolescents' drinking behaviours were then measured in one or more follow-ups. To ensure consistency, no experimental, cross-sectional, time series or econometric studies were included in the review. Thirteen studies met the inclusion criteria, and the review concluded that alcohol advertising and promotion increased the likelihood that adolescents will start to use alcohol, and to drink more if they are already consuming alcohol.

A second systematic review incorporating data from seven prospective cohort studies similarly concluded that, consistent with the positive associations reported in cross-sectional surveys, there is evidence of a relationship between exposure to alcohol advertising or promotional activity at baseline, and amount of alcohol consumed by young people at follow-up (Smith and Foxcroft 2009).

In discussing the extent of, and differences in, youth exposure to alcohol advertising in the four jurisdictions, it is important to note that there are few studies on exposure per se, and those that do exist are generally small-scale and address limited mediums or geographic areas.

### *Australia*

As set out above, the primary restrictions on exposure relate to outdoor advertising (within 150 metres of schools) and television advertising during children's viewing times. However, the available evidence suggests that Australian adolescents are exposed to a high level of alcohol advertising.

For example, a 2005 study commissioned by the Commonwealth Department of Health and Ageing analysed exposure to alcohol advertising via metropolitan free-to-air TV in Sydney and Melbourne, and found that exposure among 13–17 year-olds was only slightly less than among 18–29 year-olds (almost 90 percent). Importantly, the authors also cautioned that, while there are no data on exposure via subscription TV, we know that 32 percent of 13–17 year-olds have access and that these young people spend more time watching subscription TV than free-to-air. There are currently no restrictions on alcohol advertising on subscription TV (King et al. 2005).

Subsequently, an analysis of free-to-air television in Sydney NSW reported that from March 2005 to February 2006, teenagers (13–17 years) were exposed to the same amount of alcohol advertising on free-to-air television as young adults (18–24 years), and children (0–12 years) were exposed to almost half as much alcohol advertising as teenagers (Winter et al. 2008); similar results were found in an analysis of exposure across five Australian capital cities (Fielder et al. 2009).

A recent small-scale qualitative study of children in Grades 5 and 6 (aged 10–12 years) found that the children had high levels of awareness of alcohol products and brands advertised during the cricket broadcast; were aware of celebrity endorsement of products; and identified alcohol as a product preferred by males, young people, people who were humorous, and men who play sport (Jones et al. 2010).

A further Australian study, which surveyed 1,113 Australian adolescents aged 12 to 17 years, found that exposure to various forms of alcohol advertisements was associated with increased alcohol consumption. Overall, exposure to alcohol advertising in magazines, bottle shops, pubs and bars, and via promotional materials, was associated with alcohol initiation. Alcohol advertising in pubs/bars was associated with regular consumption in the previous 12 months (AOR 1.69); and magazine (AOR 1.54), internet (AOR 1.36) and pub or bar advertising (AOR 1.44) was associated with consumption in the previous four weeks (Jones and Magee 2011).

### *New Zealand*

A study of exposure to televised alcohol advertisements conducted between October 1992 and September 1993, using syndicated PeopleMeter Panel Data, found that the average 10–17 year-old was exposed to 317 alcohol advertisements per year, and the average 18–29 year-old to 415 per year (Casswell et al. 1994); the authors also noted that the average 10–17 year-old saw 12 times as many advertisements for alcohol as advertisements promoting health with reference to alcohol use.<sup>7</sup> A follow-up study by the same research group, using the same methodology, found that in the period July 1995 to 1996 these exposure levels had increased to 392 alcohol advertisements per year for 10–17 year-olds and 528 for 18–29 year-olds (Wyllie et al. 1996).

Research conducted in the late 1990s found an association between positive responses to beer advertisements and both current drinking and expected future drinking among 10–17 year-olds. Many of the young people reported that they felt alcohol advertising encouraged teenagers to drink (Wyllie et al. 1998). Similar results were found for 18–29 year-olds (Wyllie et al. 1998). A more recent study by the same group, a CATI survey of 2,538 teenagers (predominantly aged 13 and 14 years), found that awareness of alcohol marketing channels increased the odds of being a drinker (by 8 percent for each additional channel of which a young person was aware). Importantly, engagement – such as downloading a screensaver or owning branded merchandise – and brand allegiance were associated with far more substantial increases in the likelihood and frequency of drinking (Lin et al. 2012).

### *United Kingdom*

A study in the UK found that adolescents aged 13 had a high level of exposure to alcohol advertising, with 97 percent exposed to at least one of 15 different forms of alcohol marketing, and the sample as a whole exposed to on average five forms of alcohol marketing (Gordon et al. 2011).

While other studies have not focused on the level of exposure to alcohol advertising, they have considered the effect of advertising on drinking behaviours. A cross-sectional survey of 298 students (aged 17–21 years) from secondary schools and universities in the north-east of England on their alcohol consumption habits, exposure to alcohol advertising, and other confounding variables did not identify a

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<sup>7</sup> Many of these ‘health’ advertisements were from Land Transport NZ, and thus would have focused on drink driving

significant relationship between exposure to any type of alcohol advertising and general alcohol consumption (Gunter et al. 2009). However, exposure to TV advertising for alcopops and cider was found to be a significant predictor of consumption for each of those types of alcohol. It was concluded that although there was no evidence that alcohol advertising plays a significant role in shaping general consumption patterns among young people, it does seem to drive consumption of certain types of alcoholic beverages.

Another UK study investigated the impact of sports sponsorship on underage alcohol consumption using a stratified random sample design, sampling 322 school pupils, aged 14–15, across five schools in a medium sized city in Wales (Davies 2009). The study recorded respondents' involvement with sport, drinking behaviours, intentions and attitudes, and measures of awareness and perception of sports sponsorship. Regression analysis found that involvement with sport made boys more likely to drink alcohol and get drunk, with awareness of sponsorship increasing the likelihood of these behaviours. However, it was found that girls involved in sport displayed more negative attitudes towards alcohol.

The first longitudinal consumer study to assess the cumulative impact of alcohol marketing on youth drinking in the UK found significant associations between awareness of and involvement with alcohol marketing and youth drinking (Gordon et al. 2010). The study sampled a cohort of 552 adolescents aged 13 who were followed up again at age 15, and measured their awareness of/involvement with 15 different channels of alcohol marketing communications, drinking initiation, frequency and consumption, along with a number of confounding variables including peer and parental influence and demographics. Regression analysis found that after controlling for confounding variables, involvement with alcohol marketing at baseline was predictive of both initiation of drinking and increased frequency of drinking at follow-up. Furthermore, awareness of alcohol marketing at baseline was associated with increased frequency of drinking at follow-up.

A recent report commissioned by the European Commission assessed young people's exposure to alcohol marketing in audiovisual and online media in the UK, the Netherlands, and Germany (Winpenney et al. 2012). The report found that UK youths aged 10–15 are overexposed to alcohol advertising, seeing 10 percent more alcohol advertising on TV than their parents and 50 percent more TV advertising for alcopops. Furthermore, the report found that alcohol marketing on social media is so ubiquitous that it is almost impossible to assess the level of exposure of young people, who are among the highest users of such media.

### *Canada*

We were unable to identify any studies that quantified exposure to alcohol advertising in Canada, and very few published studies examining the impact of alcohol advertising on drinking behaviour. There are some published econometric studies that model associations between alcohol advertising expenditure and overall consumption of alcoholic beverages, but such studies have been criticised due to the methodological approach used and a failure to directly track individual behaviours (Hastings et al. 2005).

One such study examined the statistical relationship between the lifting of a ban on alcohol advertising in Saskatchewan and the volume of sales of alcoholic beverages; it concluded that 'alcohol advertising is not a contributory force that influences the overall level of alcohol consumption' (Makowsky and Whitehead 1991, 555).

Another Canadian econometric study modelled the demand for alcoholic beverages and three advertising specification models, with the authors concluding that alcohol advertising effects were subtle, can vary by beverage, and probably affect brand choice rather than overall consumption (Larivière et al. 2000).

There is an emerging consensus that consumer studies involving cross-sectional or ideally longitudinal cohort surveys provide a better way of assessing possible relationships between alcohol advertising and drinking. However, there is a dearth of such studies in Canada. A recent consumer study monitored placement of television alcohol advertisements shown in Canada during summer and autumn 2010 and early spring 2011 (Krank et al. 2012). The placement of advertisements was compared with television viewing patterns reported by youth aged 15–16 years attending Grade 10 in school, and drinking age youths aged 19 and over in University in British Columbia. In addition, both groups were shown eight advertisements from those shown during the monitoring period and asked how many times they had seen each advert and how much they liked it. The study found that the pattern of alcohol advertisement placements was heavily associated with sports programming and comedy shows, and that the prevalence of alcohol adverts was high for shows routinely watched by youth. The memory frequency results indicated that over 50 percent of under-age participants reported seeing seven of the eight adverts shown on at least 10 or more occasions. Underage participants also had higher levels of likeability scores on several of the regularly shown adverts.

### **Apparent compliance with the codes**

Debates about the amount of exposure to alcohol advertising often overlook the importance of the *content* of the advertising. In relation to young people, key features that have been shown to increase awareness, recall, and ad liking are: music; cartoon characters; animals; stories; and humour (Chen et al. 2005). However, the impact of alcohol advertising on young people goes beyond these direct associations between exposure and drinking behaviours – other concerns include the effect of alcohol advertising on young people’s perceptions of drinking as a normative behaviour (Lieberman and Orlandi 1987; Casswell 1995), and the reinforcement of gender and racial stereotypes (Alaniz and Wilkes 1998).

#### *Australia*

Consumer protection groups such as the Australian Drug Foundation argue that the clauses of the ABAC that relate to *appeal to children or adolescents* and *create or contribute to a significant change in mood or environment* (including alcohol as a cause of or contributing to success) are regularly breached by advertisers, largely because there are no penalties for non-compliance (Roberts 2002), and that alcohol advertising promotes drinking to young people as cool, sexy and fun. Australian research with teenagers and young adults has shown that some advertisements are perceived by these groups to be targeted toward young drinkers and to convey the message that alcohol consumption offers ‘self-confidence’, ‘sexual relationship success’, and ‘social success’ (Jones and Donovan 2001).

A number of Australian studies have assessed the nature of alcohol advertising in magazines and/or on television, and they have found that the messages in print advertising are inconsistent with the spirit, and in some cases the letter, of the self-regulatory advertising code (Jones and Donovan 2001; Jones and Donovan 2002; Donovan et al. 2007; Jones et al. 2008; Jones et al. 2009).

Some of these studies have used content analysis methods to assess the messages and images in alcohol advertising against the clauses of the AANA Code of Ethics and/or the ABAC Code. For example, a content analysis of 142 alcohol advertisements from a sample of 35 magazine titles published during the period August 2001 to May 2002 identified that 52 percent appeared to breach one of more clauses of the ABAC Code (Donovan et al. 2007). Further, an analysis of television alcohol advertising during September and October 2010 found that around half of all these advertisements appeared during children's popular viewing times, with the most common themes being humour, friendship/mateship, and value for money (Pettigrew et al. 2012).

Others have used panels of expert and/or lay judges to assess whether decisions made by the ASB/ABAC were consistent with those of other groups. One study recruited an independent panel of experts (eight marketing/advertising academics) and lay judges (25 second-year university students) to review all nine alcohol advertisements against which complaints were lodged with the ASB between May 1998 and April 1999. The study found that a majority of the lay judges perceived breaches of the Codes for all of the nine advertisements; and a majority of the independent judges perceived seven of the nine advertisements to be in breach of one or more clauses of the code. However, none of the complaints were upheld by the ASB (Jones and Donovan 2002).

A similar study was conducted following the 2003 revision of the ABAC Code and process. Six expert judges (two marketing/advertising, two public health and two communications academics) were recruited to assess 14 advertisements (eight television and six magazine) that had attracted complaints to the ASB between May 2004 and March 2005.

For two of these advertisements, all judges perceived a breach in one or more clauses of the codes; for eight, the majority of the judges perceived a breach; and for four, the judges were evenly divided as to whether or not there was a breach. In none of the 14 cases did the majority of judges perceive that the ad was *not* in breach of one or more clauses of the AANA or ABAC codes; however none of the complaints were upheld by the ASB, and only one was upheld by ABAC (Jones et al. 2008).

The authors concluded that the decisions made by the Advertising Standards Board in relation to complaints against alcohol advertisements are not in harmony with the judgment of independent experts. They recommended the formation of a completely independent review process for complaints about alcohol advertising. Importantly, they recommended that such a system should address a number of flaws inherent in the current system, including: not relying on consumer complaints as the sole trigger for identifying inappropriate advertisements; making decisions enforceable, and providing penalties for breaches; and strategies for determining more definitive standards for the content of alcohol advertisements.

Finally, reflecting the primary aim of alcohol advertising regulation (the protection of young people), two studies have been conducted to assess young people's interpretations of alcohol advertisements. A study conducted in 1999 with 44 high school students and 43 university students explored their perceptions of the messages in, and target audience of, radio advertisements for a brand of premixed alcohol. Approximately one in four respondents (29 percent of 15–16 year-olds; 23 percent of 19–21 year-olds) perceived the target audience for the ads as being teenagers or young people below the age of 18 years. More than half of the young people in both groups believed that the advertisement suggested the product would make them feel carefree, reduce anxieties in a social situation, help them feel confident about

themselves, and help them have a great time. More than half of the 19–21 year-olds thought that it also suggested the product would make them more sociable and outgoing, help them act cool, help them not worry about how they look, and make them less inhibited about approaching the opposite sex (Jones and Donovan 2001). All of these messages were inconsistent with the ABAC Code.

In a follow-on to the expert panel study conducted following the 2003 review of ABAC, twelve of the same advertisements were shown to 287 young people (106 aged under 18 years). The respondents perceived messages in the advertisements about several social benefits of consuming alcohol, including that the advertised product would make them more sociable and outgoing, help them have a great time, help them fit in, help them feel more confident, help them feel less nervous, and help them succeed with the opposite sex (Jones et al. 2009). All of these messages transgress the terms of the ABAC code. The authors concluded that the current self-regulatory codes are ineffective in protecting young people from messages that alcohol consumption leads to social and other success, increases confidence and attractiveness. They also concluded that decisions made by the ASB and ABAC are inconsistent with their own codes, and that the revisions to the ABAC code and associated processes failed to reduce the problems associated with alcohol advertising in Australia.

### *New Zealand*

There is limited peer-reviewed research on (apparent) compliance with alcohol advertising regulation in New Zealand. A multi-part qualitative study was conducted shortly after the introduction of rules that allowed for brand alcohol advertising on New Zealand television in 1992. This included a series of in-depth interviews and group discussions with heavy drinkers aged 18–29 (three separate studies with different cultural groups) and adolescents (three studies). In combination, these studies concluded that while the advertisements generally avoided explicit breaches of the content codes in place at that time (such as not displaying heavy drinking or intoxicated behaviour), they often contained ‘cues’ that the audience associated with heavy drinking (either perceived as present in the advertisement or likely to occur in the situation following the portrayal in the advertisement). The authors concluded that ‘it would therefore seem impossible to develop a set of rules that could ensure that alcohol advertising is not communicating messages about heavy drinking or other issues of concern from a public health perspective’, and that a ban on televised alcohol advertising was required (Aiolupatea et al. 1997).

In a parallel study, the researchers recruited 10 coders with experience in content analysis to review 44 alcohol advertisements that had been broadcast during 1992 and 1993 (Trotman et al. 1994). Key themes identified by the coders as present in many of the advertisements included links between drinking alcohol and: acceptance by same sex peers; aggressive macho behaviour; changes in perception/state of consciousness; pride in the role of alcohol in the history of New Zealand; natural/wholesome/healthy; sport and fitness; and heroes of the young. Beer advertisements, particularly, were perceived as ‘organising around clusters of myths and themes which collectively help to create, normalise and reinforce a culture of masculinity based around drinking beer’ (Trotman et al. 1994), and women were portrayed as inferior. As has been found in other countries, the advertisements did not directly portray excessive drinking, but many were perceived to imply that this could result from the scene shown in the advertisement.

### *United Kingdom*

In the UK, weaknesses have been identified in the current alcohol advertising regulatory system, including:

- a lack of comprehensive pre-vetting and monitoring;
- ineffective penalties that do not act as a deterrent
- reliance on public complaints;
- the fact that the codes focus on content and not imagery and associations; and
- a lack of attention on the volume of advertising (British Medical Association 2009).

Furthermore, the lack of independence of the Portman Group and its role as an alcohol industry body has been criticised, along with its perceived close links to government and influence over policy (Harkins 2010).

Examination of internal marketing documents used in alcohol marketing campaigns in the UK also found evidence that campaigns were targeting and appealing to young people, referred to drunkenness in consumer research to develop campaigns, and referenced potency. The researchers also found that campaigns made associations with social success and sexual attractiveness, all of which are forbidden by the regulatory codes (Hastings et al. 2010).

Another UK study interviewed alcohol brand marketers who admitted that they often push the boundaries of the regulatory codes with their advertising and that they anticipated, and indeed would be accepting of, tighter regulation if this were introduced through government and societal demands. Concurrent focus groups with adolescents found that participants were aware of and interacted with alcohol marketing content such as references to youth language, irreverent humour, and use of music and sports sponsorship (Gordon et al. 2010).

Research has also found that alcohol brand websites in the UK featured content that appealed to young people, associated alcohol with sexual and social success, featured driving games, and referred to daring, roughness and aggression, all of which are prohibited in alcohol advertising in TV and print media channels (Gordon 2011).

The apparent failure of the current regulatory system in the UK has led to calls for tightening of both the procedures and the scope of regulation of alcohol marketing, with regulation independent of the alcohol and advertising industries, the involvement of young people in the regulatory process, and pre-vetting of all alcohol adverts – not just those for broadcast (Hastings et al. 2010). Others have called for the self-regulatory system to be abandoned and the introduction of either statutory regulation (Home Office 2008), or a complete ban on some or all forms of alcohol marketing (Anderson 2009).

More recently, commentators have called for the introduction of a system similar to the Loi Évin law in France, in which the types of alcohol marketing that are permitted (usually only allowing references to the provenance and quality of the product) are explicitly stated, with all other marketing activity banned (Gordon 2011; Hastings and Sheron 2011). A recent Select Committee report on alcohol also identified major concerns with the current alcohol marketing regulatory system, concluding that *'The current system of controls on alcohol advertising and promotion is failing the young people it is intended to protect...It is clear that both the procedures and the scope need to be strengthened'* (House of Commons Health Committee 2010, 79).

### *Canada*

Similar to the UK and New Zealand, there is a paucity of published research on compliance and effectiveness relating to alcohol advertising regulatory codes in Canada. There has been a gradual relaxation of regulation of alcohol advertising in Canada in recent years. In provinces such as Saskatchewan, alcohol advertising was completely banned until 1983 (Makowsky and Whitehead 1991).

A study commissioned by Health and Welfare Canada in 1989 found that almost half of alcohol adverts on television violated the CRTC Code, even though at that point all adverts were pre-cleared by the CRTC (Erin Research 1989). The study identified that pre-clearance did not demonstrate the visual impact of adverts, and the authors argued that the Code provisions are vague and that the CRTC interpreted the Code with a least restrictive approach.

Another study identified that the CRTC Code does have some effect, by limiting actual beer (or other alcoholic beverages) drinking adverts, but that lifestyle adverts are prevalent (Hovius and Solomon 1996). The authors concluded that the abandonment of compulsory pre-clearance was largely for financial reasons, and that there was no clear accessible pathway for the public to make complaints regarding violations of the Code. They also commented that the CRTC's only options for responding to violations were suspension of licenses, and that this could be viewed as too draconian (Hovius and Solomon 1996).

Fortin and Rempel (2007) featured a literature review and in-depth interviews with key informants (in advertising and academia) to evaluate the effectiveness of regulating alcohol advertising in Canada. The study found that the current system of co-regulation was ineffective and that the lifestyle content of much alcohol advertising was targeting and appealing to young people. The authors also called for an outright ban on alcohol advertising as a long-term goal to protect public health, and for the public health field to support improvements to current alcohol advertising regulation and counter-alcohol interventions.

Krank et al. (2012) showed eight advertisements to adolescents aged 15–16 years attending Grade 10, and youths aged 19 and over attending university. They asked a series of questions with the aim of assessing the adverts' compliance with the CRTC Code for alcohol advertising. An expert panel also rated them for compliance with the codes. For several of the adverts, both groups of young people reported that they featured content in violation of one or more of the Codes set by CRTC; these potential violations were confirmed by the expert panel.

A recent article examining the current alcohol advertising regulatory system in Canada against the recommendations for effective regulation made in a report produced by the Dutch Institute for Alcohol Policy and the European Centre for Monitoring Alcohol Marketing (EUCAM) (de Bruijn et al. 2010) concluded that the current system was ineffective (Heung et al. 2012). The report argued that effective regulation of alcohol advertising should contain three components covering all forms of alcohol marketing – content restrictions, volume restrictions and adequate supporting infrastructure – and that supporting infrastructure would include a supportive legal context, a transparent decision making process, mandatory vetting and pre-clearance of adverts, an effective complaints system, an independent advertising committee, effective sanctions that act as a deterrent to transgressions, and an independent monitoring system (de Bruijn et al. 2010).

Issues with the Canadian system of alcohol marketing regulation raised by Heung and colleagues included a failure to update the codes since 1996, lack of regulation mandating place restrictions, lack of standardisation of coverage of all marketing

channels, and lack of protection for underage viewers in relation to the volume of alcohol advertising they can be exposed to (Heung et al. 2012). In addition, Heung and colleagues noted that pre-screening was made voluntary in 1996 and is ineffective, complaints are not monitored by an independent body, and there is a lack of an advertising committee independent from industry. They concluded by making 13 recommendations to create a more effective regulatory system:

1. Strengthen content restrictions.
2. Develop and implement volume restrictions.
3. Increase coverage of alcohol advertising regulations across all channels.
4. Reintroduce a federal mandatory pre-screening process.
5. Improve the complaints system.
6. Create an independent panel of representatives to sit on governing bodies.
7. Increase transparency.
8. Develop and implement a public health focused alcohol advertising code.
9. Introduce an effective monitoring system.
10. Enforce effective punitive sanctions.
11. Advocacy among public health bodies for additional restrictions and regulations.
12. Additional research on alcohol marketing and countering its impact.
13. Raise public awareness of the ineffectiveness of the current regulatory system (Heung et al. 2012, p 265).

## **Community perceptions of alcohol advertising (and regulation)**

### *Australia*

Research conducted in the 1990s demonstrated that, even at that early point, there was moderate to strong support for increased restrictions on alcohol advertising, far greater than the levels of support for interventions to increase the price or reduce the availability of alcohol (Flaherty et al. 1991; McAllister 1995).

A 2005 survey of 1,000 Australian adults conducted by the Australian Commonwealth Department of Health and Ageing found that: 60 percent of respondents stated that alcohol advertising should be either more restricted or entirely prohibited; 69 percent believed that alcohol advertising encourages underage people to drink alcohol; and only 28 percent were aware of any restrictions or regulations regarding the advertising of alcohol (King et al. 2005).

The National Drug Strategy Household Survey (NDSHS) does not ask about changes to the process or content of alcohol advertising regulation, but does ask two general questions. In 2010, 71.2 percent of Australians stated that they support 'limiting TV advertising until after 9:30 pm' and 48.3 percent that they support 'banning alcohol sponsorship of sporting events' (Australian Institute of Health and Welfare 2011). Specifically in relation to sport, the 2011 VicHealth Community Attitudes Survey on Healthy Sporting Environments found that 82.9 percent of the 1,500 adults surveyed supported the removal of alcohol sponsorship at community sports clubs if any lost revenue was replaced; and 75.2 percent supported a levy on alcohol advertising to replace alcohol-derived income of community sports clubs (Tobin et al. 2012).

*New Zealand*

We were unable to identify any published papers on community perceptions of alcohol advertising (regulation) conducted in the New Zealand.

*UK*

We were unable to identify any published papers on community perceptions of alcohol advertising (regulation) conducted in the UK.

*Canada*

A study by Giesbrecht et al. (2007) analysed responses to ten questions about alcohol policy answered in three national surveys in Canada conducted in 1989, 1994 and 2004.<sup>8</sup> One of the questions included in the surveys was ‘Advertising alcoholic beverages on TV should be banned?’ The study found that 53.7 percent of respondents sampled in 1989 agreed with a ban on alcohol advertising on TV, but that this reduced to 40.2 percent in 2004. The study also found that support for a ban was highest among lifetime abstainers (72.2 percent in 1989, 62.5 percent in 2004) and former drinkers (70.1 percent in 1989, 62.5 percent in 2004), and was lowest among heavy-frequent drinkers (34.9 percent in 1989, 17.3 percent in 2004). The authors conclude that there is no obvious explanation for a decline in support of alcohol control policies including banning alcohol advertising, but suggest that extensive and multi-faceted marketing and retailing of alcohol has contributed to the normalisation of drinking, reducing concern about the risks associated with consumption and eroding support for control policies (Giesbrecht et al. 2007).

**Discussion**

Our review demonstrates firstly that considerable research suggests alcohol advertising influences drinking behaviours, and secondly that current systems based on co-regulation and voluntary regulation (as is the case in Australia) are ineffective.

Indeed, the four countries included in this review score poorly on advertising-related alcohol control policies. Australia, Canada and the UK were given a zero out of three score ranking in relation to advertising, using the Alcohol Policy Index ranking system for measuring effectiveness of alcohol control policies, whilst New Zealand was given a score of one (Brand et al. 2007). The authors of the Alcohol Policy Index compiled extensive data on alcohol policies, and alcohol consumption data from the WHO, to develop their ranking system of 30 OECD countries. Each country was ranked out of 100 points. Countries were assessed for the effectiveness of their alcohol control policies across five domains that were weighted according to the WHO’s assessment of their effectiveness at reducing alcohol related harms: drink driving (34 points); physical availability (32 points), pricing (24 points); drinking context (8 points); and advertising (3 points). The validity of the model was then tested and confirmed through sensitivity analysis, and examination of the relationship between score and per capita alcohol consumption.

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<sup>8</sup> Note that as this included the data from the earlier papers by the same authors (Giesbrecht et al. 1999; 2005), these were not included; nor have we included the Room et al. (1995) paper which reports on changes in the same populations between 1989 and 1991.

### *Policy response options*

Given the strengthening evidence base suggesting causal associations between alcohol advertising and youth drinking, and the apparent failure of current regulatory systems, there is considerable debate around the appropriate policy response and regulatory structure. Three of the main policy options that emerge are:

*Option 1.* Maintain the status quo.

*Option 2.* Introduce an outright ban on alcohol advertising.

*Option 3.* Tighten alcohol advertising regulation.

Given the strength of the research evidence base identifying causal associations between alcohol advertising and drinking behaviour, and the evidence that current self-regulatory systems for alcohol advertising are ineffective, it can be argued that *Option 1* is not advisable.

With respect to *Option 2*, some research has suggested that outright bans on alcohol advertising can decrease alcohol consumption (Anderson et al. 2009). Research using time-series data from 20 countries<sup>9</sup> collected over 26 years (1970–1995) suggested that total bans on alcohol advertising on television, radio and print result in reduced consumption (Saffer and Dave 2002). Other studies have suggested that advertising bans do not reduce alcohol consumption (Young and Nelson 2001; Nelson 2010). The differences in findings reflect differing methodologies, definitions of advertising, and time periods. It is also difficult to assess the impact of advertising bans in the absence of detailed data on concurrent changes in the other marketing activities of alcohol companies.

Furthermore, a 2006 survey found that three-quarters of those surveyed across the European Union (EU) would approve an EU-wide ban on alcohol advertising targeting young people, suggesting citizen support for bans (Eurobarometer 2006). A complete ban on alcohol advertising may be perceived as the most draconian measure available, and would be expensive and time consuming to implement. Additionally, efforts to introduce outright bans would be met with considerable resistance from the alcohol and advertising industries. Australian policy makers have indicated that the most radical policy solutions are unlikely to gain favour within the current political climate (Stephen Jones MP, personal communication, May 2013). While calls for outright bans on alcohol marketing have increased in recent years (Casswell 2012), countries such as Australia have not yet introduced comprehensive systems of statutory regulation that may be effective.

Therefore, *Option 3* – tightening alcohol advertising regulation – seems the most realistic policy response given both the balance of evidence and feasibility in the current economic and policy climate. De Bruijn et al. (2010) have argued that alcohol advertising regulation should encompass activity in three areas: volume restrictions (i.e. the level of people's exposure to alcohol advertising), content restrictions, and infrastructure to support the regulatory environment. This discussion will present options within each of these three areas to develop an effective regulatory system for alcohol advertising, based on ideas expressed in the literature (Munro and De Wever 2008; Jones et al. 2009; de Bruijn et al. 2010; House of Commons Health Committee 2010; Gordon 2011; Hastings and Sheron 2011; Casswell 2012).

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<sup>9</sup> The 20 countries included in the Saffer and Dave (2002) study are as follows: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, the United Kingdom, and the USA.

### *Volume restrictions*

A number of studies have found that young people are over-exposed to alcohol advertising (Jernigan et al. 2007; Chung et al. 2010). Given the additional evidence that suggests exposure to alcohol advertising influences drinking behaviour, the requirement to consider volume restrictions within the regulatory system becomes apparent. Volume restrictions are designed to protect young people from the cumulative effects on behaviour of exposure to large volumes of alcohol advertisements. Heung et al. (2012) identify three main types of volume restrictions: restrictions on alcohol advertising at certain times and in certain places; restrictions on certain types of media; and restrictions on certain types of beverages.

In Australia there are currently volume restrictions that restrict alcohol advertising on television to periods of M, MA or AV programs shown between 8:30 pm and 5 am. An important exception to this rule is that alcohol advertising is permitted during the live broadcast of sports on weekends and public holidays. Furthermore, the Outdoor Media Association's Code of Ethics requires members to limit the advertising of alcohol on fixed signs that are within 150m of primary and secondary schools – but there is an important caveat to this restriction as it does not apply when the school is in the vicinity of a pub, club, bottle shop, or any other venue that sells alcohol (Australian National Preventive Health Agency (ANPHA) 2012).

Currently in Australia there are few restrictions on the advertising of alcohol through certain media channels, for example social networking sites or through sponsorship, and no restrictions on subscription television (where the onus is on parents to use the parental lock function to prevent exposure to advertising). Also, there are no restrictions on advertising of any specific types of beverages.

One approach to volume restrictions that has been suggested within the public health field is to introduce a *Loi Évin* type system (Gordon 2011; Casswell 2012). Under the *Loi Évin* system, advertising of alcoholic beverages over 1.2 percent alcohol by volume is permitted only in the printed press with adult readership, on billboards, on radio between 5 pm and midnight, and at special event or places such as wine fairs and wine museums (Rigaud and Craplet 2004). Alcohol advertising at all other times and places and on all other media channels is banned.

The introduction of such volume restrictions with a *Loi Évin* type statutory regulatory system would help address young people's level of exposure to alcohol advertising, and also the lack of control over current alcohol advertising that occurs in non-traditional media channels such as social media, sponsorship, and experiential marketing. This is especially relevant given concerns over the failure of existing regulation to keep pace with the expanding range of advertising channels used to market alcohol (Heung et al. 2012). Importantly, alcohol advertising would still be permitted, but only in channels and place to which young people are less likely to be exposed. Given that statutory regulation in Australia already governs when alcohol advertising can be shown on television, the mechanisms for introducing a more comprehensive statutory package of volume restrictions should be feasible.

### *Content restrictions*

Although there are restrictions on the content of alcohol advertisements in Australia (see Appendix B), as this review shows there are concerns over the effectiveness of these controls. Indeed several research studies examining the content of alcohol advertising in Australia have found use of imagery, cultural cues and messaging that

is likely to appeal to underage youths and apparently breaches the regulatory codes (Donovan et al. 2007; Jones et al. 2009; Pettigrew et al. 2012).

Furthermore, content restrictions on alcohol advertising in Australia fall under self-regulatory codes, which lack a legal framework for policing and enforcement, as adherence to the codes is voluntary. Given the somewhat broad and generic wording of articles within the codes, difficulties also arise with the interpretation and application of content restrictions for alcohol advertising. This can create ambiguity and inconsistency in interpretation of regulatory codes, particularly between public health professions, advertisers and the alcohol industry. Therefore despite research finding that the regulatory codes are often breached, the number of formal complaints that are upheld is relatively low (Jones and Donovan 2002).

A *Loi Évin* type system also offers controls regulating the content of alcohol advertising. Under the *Loi Évin* system, permitted content for alcohol advertisements is explicitly stated, with all other content banned. This approach offers clarity about what is allowed and prevents advertising from pushing the boundaries and breaking the spirit if not the letter of regulatory codes found in countries such as Australia. Under the *Loi Évin*, alcohol adverts are only permitted to refer to the actual characteristics of the product such as brand name, ingredients, provenance and how it should be prepared and served. All other advertising content (such as lifestyle adverts, targeting minors, or using cultural, social or sexual cues) is not permitted (Rigaud and Craplet 2004).

The attractiveness of introducing such a system is in its simplicity. It would be clearly stated by law what alcohol advertising content is permitted. Anything else is forbidden. Consequently, there is no ambiguity over what content can and cannot be permitted in alcohol advertising, nor can there be debate and difference in interpretation of content and potential breaches of codes.

### *Infrastructure and processes*

The third pillar of a comprehensive statutory based regulatory system for alcohol advertising relates to the infrastructure and processes developed to support it. In Australia there are a number of bodies responsible for the regulation of alcohol advertising, including the Alcohol Beverages Advertising Committee, the AANA, the ASB, the Advertising Claims Board, and the AASC. However, the current co-regulatory system has been heavily criticised for its lack of independence from the advertising industry (which funds and populates several of these bodies), its lack of effective enforcement and punishment of breaches of the codes, and its lack of comprehensive pre-vetting and monitoring. Furthermore, the public complaints procedure has been criticised for being difficult to access and for being convoluted (Jones et al. 2008; Munro and De Wever 2008). The byzantine structure of the current regulatory system also creates problems: under systems of self-regulation involving numerous bodies with a lack of clearly defined and singular responsibilities, stakeholders often leave it to each other to deal with regulatory matters, leading to inaction (Farrell 2012).

Several commentators on alcohol advertising have called for a number of components to provide the required infrastructure for developing an effective statutory system of regulation (de Bruijn et al. 2010; Gordon 2011; Heung et al. 2012). These include:

1. The creation of an independent panel of representatives to populate regulatory bodies, free from the influence of the alcohol and advertising industries. This

- would include representatives from public health, culture and society experts, marketing and media experts, and (importantly) young people, who would be able to review the appropriateness of alcohol advertising during a mandatory and comprehensive pre-screening process, and review complaints free of any biases.
2. Processes through which alcohol advertising is regulated should be made transparent, with all decisions made in consultation with relevant federal and state and territory stakeholders.
  3. The creation of an easily understood, accessible and quick complaints system and process would be important to ensure that members of the public are able to address concerns in relation to alcohol advertising.
  4. The creation of an independent and effective monitoring system, which would regularly screen alcohol advertising activities in all areas, include the public disclosure of advertising expenditures across all media channels, and monitor rates of compliance with the regulatory codes.
  5. Effective sanctions that act as a real deterrent against transgressions of the regulatory codes. Given that a statutory regulatory system would be enshrined in law, any breaches of the codes would mean that companies are breaking the law – a powerful deterrent. Furthermore, penalties including the temporary banning of advertising activities, revocation of brand or product licences, and heavy financial penalties would ensure that such a regulatory system would have power and credibility.

It is worth noting that a feasible option – rather than attempting to develop and implement an entirely new system for regulating alcohol advertising – is the use of existing tools in the liquor licensing legislation. Each State and Territory has legislation that applies to on-premise alcohol advertising and promotions (e.g. Victoria's Liquor Control Reform Act 1998; NSW's Liquor Act 2007). This legislation enables regulators to ban a licensee from advertising or promoting the supply of liquor if, in the opinion of the delegate, the advertising or promotion is likely to encourage irresponsible consumption of alcohol or is otherwise not in the public interest. Compliance with a banning notice is compulsory and failure to comply can result in prosecution. It may be possible to extend these provisions to include other forms of advertising, given that the underpinning legislation and the relevant mechanisms are already in place.<sup>10</sup>

## Conclusion

As we have demonstrated in this review, the regulation of alcohol advertising is a topical and important issue for a number of stakeholders, including policy makers, the public health field, the advertising industry, the alcohol industry, and the public. The review suggests that given the wealth of evidence identifying associations between alcohol advertising and drinking behaviours, and the apparent failures of the co-regulatory system operating in Australia and several other countries, policy makers in Australia and New Zealand should seriously consider the introduction of a comprehensive system of statutory regulation as a matter of priority.

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<sup>10</sup> We thank an anonymous reviewer for this suggestion.

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**Appendix A** Australian Association of National Advertisers (AANA) Advertiser Code of Ethics

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Section 2 of the Australian Association of National Advertisers (AANA) advertiser code of ethics, which covers advertising across all product categories, states that:

- 2.1 Advertisements shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief
  - 2.2 Advertisements shall not present or portray violence unless it is justifiable in the context of the product or service advertised
  - 2.3 Advertisements shall treat sex, sexuality and nudity with sensitivity to the relevant audience, and where appropriate, the relevant programme time zone.
  - 2.4 for any product which is meant to be used by or purchased by children not contain anything which is likely to cause alarm or distress to those children;
  - 2.5 use only language which is appropriate in the circumstances and strong or obscene language shall be avoided;
  - 2.6 not depict material contrary to prevailing community standards on health and safety.
  - 2.7 comply with the Federal Chamber of Automotive Industries Code of Practice relating to Advertising for Motor Vehicles.
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**Appendix B** The Alcohol Beverages Advertising Code (ABAC)

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The Alcohol Beverages Advertising Code (ABAC) states that alcohol advertisements must:

- a) present a mature, balanced and responsible approach to the consumption of alcohol beverages and, accordingly –
    - i) must not encourage excessive consumption or abuse of alcohol;
    - ii) must not encourage under-age drinking;
    - iii) must not promote offensive behaviour, or the excessive consumption, misuse or abuse of alcohol beverages; and
    - iv) must only depict the responsible and moderate consumption of alcohol beverages
  - b) not have a strong or evident appeal to children or adolescents and, accordingly –
    - i) adults appearing in advertisements must be over 25 years of age and be clearly depicted as adults;
    - ii) children and adolescents may only appear in advertisements in natural situations (e.g. family barbecue, licensed family restaurant) and where there is no implication that the depicted children and adolescents will consume or serve alcohol beverages; and
    - iii) adults under the age of 25 years may only appear as part of a natural crowd or background scene
  - c) not suggest that the consumption or presence of alcohol beverages may create or contribute to a significant change in mood or environment and, accordingly –
    - i) must not depict the consumption or presence of alcohol beverages as a cause of or contributing to the achievement of personal, business, social, sporting, sexual or other success;
    - ii) if alcohol beverages are depicted as part of a celebration, must not imply or suggest that the beverage was a cause of or contributed to success or achievement; and
    - iii) must not suggest that the consumption of alcohol beverages offers any therapeutic benefit or is a necessary aid to relaxation
  - d) not depict any direct association between the consumption of alcohol beverages, other than low-alcohol beverages, and the operation of a motor vehicle, boat or aircraft or the engagement in any sport (including swimming and water sports) or potentially hazardous activity and, accordingly –
    - i) any depiction of the consumption of alcohol beverages in connection with the above activities must not be represented as having taken place before or during engagement of the activity in question and must in all cases portray safe practices; and
    - ii) any claim concerning safe consumption of low-alcohol beverages must be demonstrably accurate
  - e) not challenge or dare people to drink or sample a particular alcohol beverage, other than low-alcohol beverages, and must not contain any inducement to prefer an alcohol beverage because of its higher alcohol content
  - f) comply with the Advertiser Code of Ethics adopted by the Australian Association of National Advertisers
  - g) not encourage consumption that is in excess of or inconsistent with the Australian Alcohol Guidelines issued by the NHMRC
  - h) not refer to The ABAC Scheme, in whole or in part, in a manner which may bring the scheme into disrepute
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**Appendix C** New Zealand Advertising Standards Authority (ASA) Code of Ethics

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**BASIC PRINCIPLES**

1. All advertisements must comply with the laws of New Zealand.
2. No advertisement should impair public confidence in advertising.
3. No advertisement should be misleading or deceptive or likely to mislead or deceive the consumer.
4. All advertisements should be prepared with a due sense of social responsibility to consumers and to society.
5. All advertisements should respect the principles of free and fair competition generally accepted in business.

**RULES**

1. Identification - Advertisements should be clearly distinguishable as such, whatever their form and whatever the medium used; when an advertisement appears in a medium which contains news or editorial matter, it must be presented so that it is readily recognised as an advertisement.
  2. Truthful Presentation - Advertisements should not contain any statement or visual presentation or create an overall impression which directly or by implication, omission, ambiguity or exaggerated claim is misleading or deceptive, is likely to deceive or mislead the consumer, makes false and misleading representation, abuses the trust of the consumer or exploits his/her lack of experience or knowledge. (Obvious hyperbole, identifiable as such, is not considered to be misleading).
  3. Research, Tests and Surveys - Advertisements should not use tests and surveys, research results or quotations from technical and scientific literature, in a manner which is misleading or deceptive.
  4. Decency - Advertisements should not contain anything which clearly offends against generally prevailing community standards taking into account the context, medium, audience and product (including services).
  5. Offensiveness - Advertisements should not contain anything which in the light of generally prevailing community standards is likely to cause serious or widespread offence taking into account the context, medium, audience and product (including services).
  6. Fear - Advertisements should not exploit the superstitious, nor without justifiable reason, play on fear.
  7. Violence - Advertisements should not contain anything which lends support to unacceptable violent behaviour.
  8. Denigration - Advertisements should not denigrate identifiable products or competitors.
  9. Testimonials - Advertisements should not contain or refer to any personal testimonial unless it is genuine, current, related to the experience of the person giving it and representative of typical and not exceptional cases. The claims in the testimonial should be verifiable.
  10. Privacy - Unless prior permission has been obtained an advertisement should not portray or refer to any persons, whether in a private or public capacity, or refer to any person's property, in a way likely to convey the impression of a genuine endorsement.
  11. Advocacy Advertising - Expression of opinion in advocacy advertising is an essential and desirable part of the functioning of a democratic society. Therefore such opinions may be robust. However, opinion should be clearly distinguishable from factual information. The identity of an advertiser in matters of public interest or political issue should be clear.
  12. Safety - Advertisements should not, unless justifiable on educational or social grounds, contain any visual presentation or any description of dangerous or illegal practices or situations which encourage a disregard for safety.
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## Appendix D The Code for Advertising and Promotion of Alcohol

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The Code for Advertising and Promotion of Alcohol states that:

### PRINCIPLE 1

Alcohol advertising and promotions shall observe a high standard of social responsibility.

- 1(a) Alcohol advertising and promotions shall not link alcohol with daring, aggressive, unruly, irresponsible or antisocial behaviour nor suggest any association with, acceptance of, or allusion to, tobacco, illicit drugs or volatile substances such as glue and petrol; explosives and weaponry.
- 1(b) While alcohol advertising and promotions may depict the consumption of alcohol as incidental to a friendly and happy social environment, it shall not promote drinking alcohol as a better or more attractive lifestyle choice nor imply that the success of a social occasion depends on the presence or consumption of alcohol.
- 1(c) Alcohol advertising and promotions shall not suggest that alcohol can lead to sexual, social, sporting or business success or popularity or is necessary to achieve social status with peers.
- 1(d) Alcohol advertising and promotions shall not depict alcohol as a necessity, nor required for relaxation nor suggest it offers any therapeutic benefit.
- 1(e) Alcohol advertising and promotions shall not actively link alcohol with the use of potentially dangerous machinery or driving or any other hazardous or unsafe practices. Alcohol advertising and promotions may include sporting or other physical activities but shall not imply that those activities have been undertaken after the consumption of alcohol.
- 1(f) Where it is necessary to purchase alcohol as a condition of entry, alcohol advertising and promotions shall not offer any potentially hazardous prizes in any competition. Examples include motor vehicles, boats or any other potentially dangerous machinery.
- 1(g) Alcohol advertising and promotions shall not cause widespread or serious offence, taking into account prevailing community standards, context, audience, medium and product.
- 1(h) Alcohol advertising and promotion shall not contain any statement or visual presentation or create an overall impression which directly or by implication, omission, ambiguity or exaggerated claim is misleading or deceptive or is likely to deceive or mislead the consumer. Obvious hyperbole, identifiable as such, is not considered to be misleading.

### PRINCIPLE 2

Alcohol advertising and promotions shall be consistent with the need for responsibility and moderation in alcohol consumption.

- 2(a) Alcohol advertising and promotions shall not emphasise a product's alcoholic strength, except where the product is a light (or lite) alcohol product but can include factual information about the alcoholic strength.
- 2(b) Alcohol advertising and promotions shall not feature, imply, condone or encourage irresponsible or immoderate drinking. That applies to both the amount of drink and the way drinking is portrayed.
- 2(c) Where the prize in an alcohol promotion is a large quantity of alcohol, it should not be supplied in one delivery and any such prize should be consistent with the Alcohol Advisory Council's standard drink guidelines.

### PRINCIPLE 3

Alcohol advertising and promotions shall be directed at adult audiences. Alcohol advertising and promotions shall not be directed at minors nor have strong or evident appeal to minors in particular. This applies to both content and placement.

- 3(a) Alcohol advertising and promotions in non-restricted areas shall not use or refer to identifiable heroes or heroines of the young. See Guidance Notes at [www.asa.co.nz](http://www.asa.co.nz).
- 3(b) Alcohol advertising and promotions shall not use designs, motifs, or cartoon characters that have strong or evident appeal to minors or that create confusion with confectionary or soft drinks.
- 3(c) Anyone visually prominent in alcohol advertising and promotions depicting alcohol being consumed shall be, and shall appear to be, at least 25 years of age with their behaviour and appearance clearly appropriate for people of that age or older. Minors may appear in alcohol advertising and promotions only in situations where they would naturally be found, for example at a family barbecue, provided that there is no direct or implied suggestion that they will serve or

consume alcohol.

- 3(d) Alcohol Advertisements shall not be shown on television between 6.00 am and 8.30 pm.
- 3(e) Broadcasters shall avoid the impression that alcohol promotion is dominating the viewing or listening period when broadcasting alcohol advertisements, including alcohol sponsorship advertisements taking into account the context of the programme.
- 3(f) Television alcohol advertising shall not exceed six minutes per hour, and there shall be no more than two advertisements for alcohol in a single commercial break.
- 3(g) Alcohol branded merchandise, point of sale materials and other promotions for alcohol must not be available in unrestricted areas at events or activities where more than 25% of the expected audience is minors.
- 3(h) Websites that provide online retail sale of alcohol products shall require purchasers to certify that they are 18 years of age or over.
- 3(i) Websites that primarily promote an alcohol brand and contain games, competitions or other interactive activities shall have an Age Verification Page at entry. Verification shall be by way of input of the visitor's date of birth.

#### PRINCIPLE 4

Sponsorship advertisements shall clearly and primarily promote the sponsored activity, team or individual. The sponsor, the sponsorship and items incidental to them, may be featured only in a subordinate manner.

Guidelines for sponsorship advertisements:

- 4(a) Shall not contain a sales message.
- 4(b) Shall not show a product or product packaging.
- 4(c) Shall not imitate or use any parts of product advertisements from any media.
- 4(d) Shall not portray consumption of alcohol.
- 4(e) Shall only briefly and in a subordinate way mention or portray the sponsor's name and/or brand name and/or logo orally and/or visually.
- 4(f) May be broadcast at any time except during programmes intended particularly for minors.

Guidelines for sponsorship:

- 4(g) Alcohol producers, distributors or retailers should not engage in sponsorship where those under 18 years of age are likely to comprise more than 25% of the participants, or spectators.
  - 4(h) Sponsors shall not require or permit sponsored parties to feature alcohol branding on children's size replica sports kit or on any promotional material distributed to minors.
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**Appendix E** Features of Alcohol Marketing Regulatory Codes in the UK

Theme	Regulatory Code	CAP	Portman Group
1 Youth Appeal	Advertisements must not be likely to appeal strongly to people under 18, especially by reflecting or being associated with youth culture or showing adolescent or juvenile behaviour.	Marketing communications must not be likely to appeal particularly to people under 18, especially by reflecting or being associated with youth culture.	A drink its packaging and any promotional material or activity should not in any direct or indirect way have a particular appeal to under 18s (in the case of sponsorship, those under 18 years of age should not comprise more than 25% of the participants, audience or spectators).
2 Personal/Social Success	Advertisements must neither contribute to an individual's popularity or confidence nor imply that alcohol can enhance personal qualities. Advertisements must not imply that drinking alcohol is a key component of social success or acceptance or that refusal is a sign of weakness. Advertisements must not imply that the success of a social occasion depends on the presence or consumption of alcohol.	Marketing communications must not claim or imply that alcohol can enhance confidence or popularity.	A drink its packaging and any promotional material or activity should not in any direct or indirect way suggest that consumption of the drink can lead to social success or popularity.
3 Sexual Success	Advertisements must not link alcohol with sexual activity, sexual success or seduction or imply that alcohol can enhance attractiveness. That does not preclude linking alcohol with romance or flirtation.	Marketing communications must neither link alcohol with seduction, sexual activity or sexual success nor imply that alcohol can enhance attractiveness.	A drink its packaging and any promotional material or activity should not in any direct or indirect way suggest any association with sexual success.
4 Driving & Sport	Advertisements may feature sporting and other physical activities (subject to other rules in this section) but must not imply that those activities have been undertaken after the consumption of alcohol.	Marketing communications must not imply that alcohol can enhance mental or physical capabilities; for example, by contributing to professional or sporting achievements.	N/A
5 Drinking Behaviour	Advertisements may include alcohol sales promotions but must not imply, condone or encourage immoderate drinking.	Marketing communications must be socially responsible and must contain nothing that is likely to lead people to adopt styles of drinking that are unwise. For example, they should not	A drink its packaging and any promotional material or activity should not in any direct or indirect way encourage illegal, irresponsible or immoderate consumption, such as

		encourage excessive drinking. Marketing communications that include a sales promotion must not imply, condone or encourage excessive consumption of alcohol.	drink-driving, binge-drinking or drunkenness;
6 Aggression, toughness	Advertisements must not link alcohol with daring, toughness, aggression or unruly, irresponsible or antisocial behaviour.	Marketing communications must neither show, imply, encourage nor refer to aggression or unruly, irresponsible or antisocial behaviour nor link alcohol with brave, tough or daring people or behaviour.	A drink its packaging and any promotional material or activity should not in any direct or indirect way suggest any association with bravado, or with violent, aggressive, dangerous or antisocial behaviour
7 Strength and Power	Advertisements must not imply that a drink may be preferred because of its alcohol content or intoxicating effect.	Marketing communications must not imply that a drink may be preferred because of its alcohol content or intoxicating effect	A drink its packaging and any promotional material or activity should not in any direct or indirect way have the alcoholic strength, relatively high alcohol content, or the intoxicating effect, as a dominant theme

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Source: Adapted from BCAP, 2010; Portman Group, 2008.

**Appendix F CRTC Code for Broadcast Advertising of Alcoholic Beverages**

Code	Interpretation
Commercial messages for alcoholic beverages shall not: (a) attempt to influence non-drinkers of any age to drink or to purchase alcoholic beverages;	A message should not challenge or dare people to drink or to try a particular alcoholic beverage. In the event of a promotion, contest or premium offer, there should be at least one clearly stated option that permits participation without purchase of the product and without cost to the participants. It should also be stated that participation is limited to those who are of legal drinking age in the province where the message is to be aired. In television advertisements, in deference to members of the audience who may have impaired vision or hearing, such options and restrictions should be described both verbally and in writing. The written version of the message should be of such size, placement and duration as to be clearly visible.
(b) be directed at persons under the legal drinking age, associate any such product with youth or other symbols, or portray persons under the legal drinking age or persons who could reasonably be mistaken for such persons in context where any such product is being shown or promoted;	The message should be overtly directed to persons who are of the legal drinking age in the province where the message is broadcast. No such message should depict, under any circumstances, children, children's toys, children's clothing, playground equipment, or wading pools. Objects that are commonly used by children, but not considered childish when used by adults (e.g. most sports equipment, Frisbees and colouring pencils) may be depicted in such messages. Mythical or fairy tale characters appealing to children, such as Santa Claus, the Tooth Fairy, the Easter Bunny or Halloween characters and symbols, should not be depicted in such messages under any circumstance.
(c) portray the product in the context of, or in relation to, an activity attractive primarily to people under the legal drinking age;	The product should not be portrayed in the context of, or in relation to, for example, a performance, event or activity where the audience or the participants are expected to be predominantly people under the legal drinking age or where the television or film audiences of the featured performer(s) consist predominantly of people under the legal drinking age.
(d) contain an endorsement of the product, personally or by implication, either directly or indirectly, by any person, character or group who is likely to be a role model for minors because of a past or present achievement, association with charities and/or advocacy activities benefiting children, reputation or exposure in the mass media;	Once established as a role model for minors, a person will be considered to remain a role model for a period of 10 years from the date of retirement from the activity.
(e) attempt to establish the product as a status symbol, a necessity for the enjoyment of life or an escape from life's problems, or attempt to establish that consumption of the product should take precedence over other activities;	
(f) imply directly or indirectly that social acceptance, social status, personal success, or business or athletic achievement may be acquired, enhanced or reinforced through consumption of the product;	

(g) imply directly or indirectly that the presence or consumption of alcohol is, in any way, essential to the enjoyment of activity or an event;

(h) portray any such product, or its consumption, in a immoderate way;

(i) exaggerate the importance or effect of any aspect of the product or its packaging;

(j) show or use language that suggests, in any way, product misuse or product dependency, compulsive behaviour, urgency of need or urgency of use;

(k) use of imperative language to urge people to purchase or consume the product;

(l) introduce the product in such a way or at such a time that it may be associated with the operation of any vehicle or conveyance requiring skill;

(m) introduce the product in such a way or at such a time as may associate the product with any activity requiring a significant degree of skill, care or mental alertness or involving an obvious element of danger;

(n) contain inducements to prefer an

Commercial messages should not suggest that the presence or consumption of alcohol may create or contribute to an apparent change in mood, atmosphere or environment, or that a social gathering, celebration or any other activity is, or would be, incomplete or unsatisfactory without the product. In the depiction of alcoholic beverages as part of a celebration, advertisements should not imply or suggest that the presence or consumption of the beverage, itself, is essential to the success of the activity. It is acceptable to say that one alcoholic beverage is superior in some way to any or all other similar alcoholic beverages, but it is not acceptable to suggest or imply that it is superior to any or all foods or non-alcoholic beverages.

Under this provision, a message should not portray (i) an unrealistic or excessive number of cases or containers or excessive volume of the product in a context where consumption may reasonably be expected to occur; or (ii) any quantity of containers or volume of the product in a context where the number of individual standard serving represented exceeds or may appear to exceed the number of individuals shown. This provision does not prohibit depiction of the manufacturing, warehousing, distribution or commercial storage of alcoholic beverages.

Introduction of the product will be deemed to have occurred upon the introduction of a flat label, jingle musical signature, logo, brand name, character or other symbol commonly used to identify the product or its manufacturer. It is unacceptable to suggest or imply that the product is or should be consumed prior to or during operation of any vehicle or conveyance or the riding of an animal. It is acceptable to suggest or imply that the consumption may occur after all operation depicted in the message has been clearly completed for the day. It is also acceptable to suggest or imply that consumption may occur (among passengers only) on an aircraft or vessel operated by a professional crew.

Introduction of the product will be deemed to have occurred upon the introduction of a flat label, jingle, musical signature, logo, brand name, character or other symbol commonly used to identify the product or its manufacturer. It is unacceptable to suggest or imply that the product is or should be consumed prior to or during any such activity. It is acceptable to introduce the product after all such activity depicted in the message has been clearly completed for the day.

alcoholic beverage because of its higher alcohol content;

(o) refer to the feeling and effect caused by alcohol consumption or show or convey the impression, by behaviour or comportment, that the people depicted in the message are under the influence of alcohol;

(p) portray persons with any such product in situations in which the consumption of alcohol is prohibited;  
or

(q) contain scenes in which any such product is consumed, or that give the impression, visually or in sound, that it is being or has been consumed.

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(Source: CRTC, 1996)