

Issue 1 2003

THE GLOBE

GAPA Advocacy in action



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THE GLOBE

GLOBAL ALCOHOL POLICY ALLIANCE

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Advocacy in action

Since its inception at the Global Alcohol Policy Conference in Syracuse, NY, in the summer of 2000, the Global Alcohol Policy Alliance (GAPA) has set itself the task of co-ordinating the work of advocates around the world.

One of the major issues which has emerged is the effort being made by the global alcohol industry to market its wares in developing countries. Just as the tobacco industry has aggressively promoted cigarettes in regions where restrictions on sale and advertising are either non-existent or poorly enforced, so the increasingly globalised alcohol producers have sought to increase their sales in areas where hitherto they have lacked penetration.

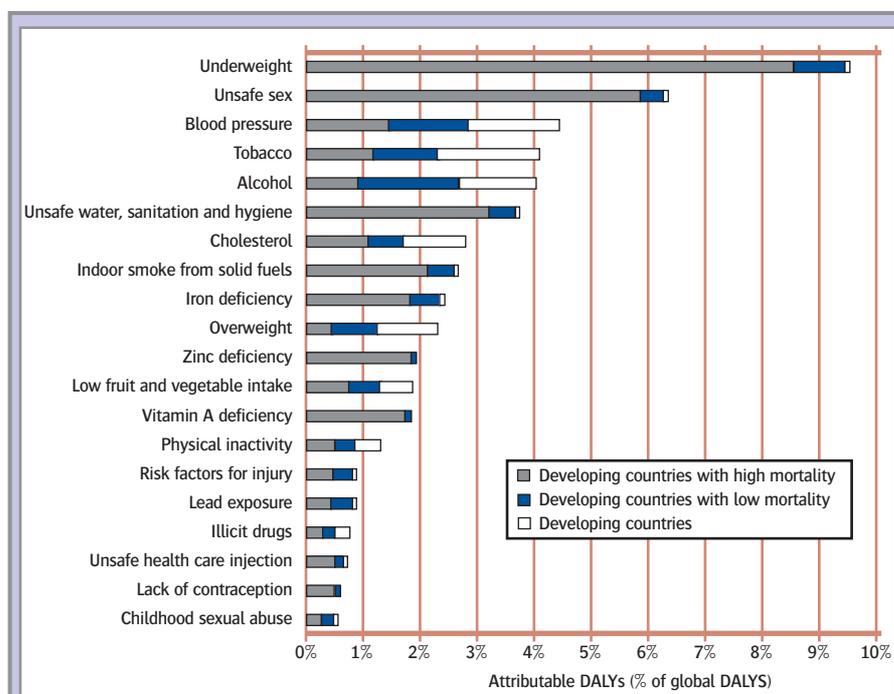
In many of the countries where alcohol sales have increased over recent decades, there has been little history of widespread alcohol consumption, usually for cultural or religious reasons. This tradition may linger on in older generations, but the young, often Westernised people of countries like Thailand or the Philippines have proved susceptible to the carefully targeted marketing of alcohol.

Speaking on the impact of alcohol in developing societies at GAPA's recent meeting in Bangkok, Leanne Riley, of the World Health Organization in Geneva, said that recorded per capita consumption is generally lower in developing societies but that unrecorded consumption brings the levels higher. As economic circumstances improve in a particular country, so the consumption of alcoholic beverages rises.

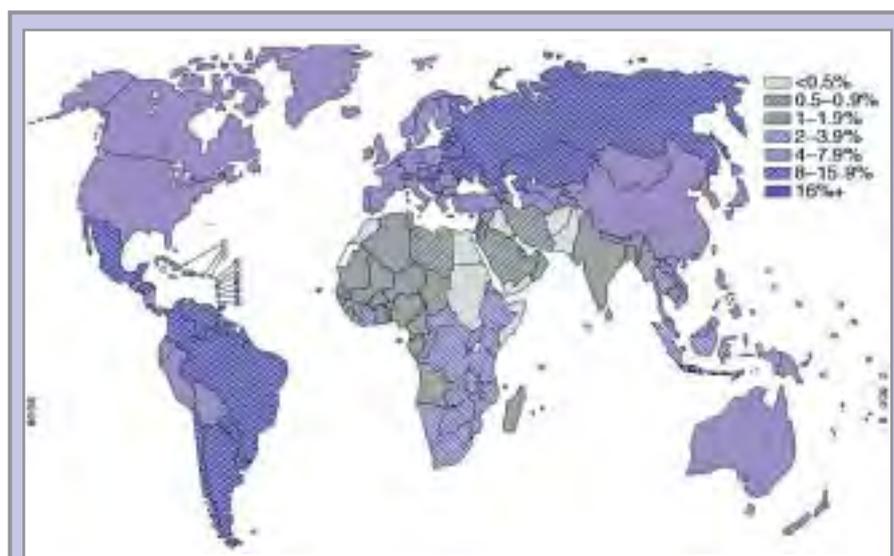
Ms Riley pointed out that patterns of use of alcohol were affected by the place of drinking in the particular culture, the customs among different groups, varied settings and norms. In many countries it was possible to observe old

customs moving into new contexts. For example, changing gender roles had a direct influence on women's drinking. On the whole, it appeared to be the case that, in developing societies, those who drink, drink large amounts.

She reminded the meeting that of the top ten risks to health, as set out in the World Health Report, alcohol ranks fifth. This amounts to over three per cent of all deaths (1.8 million) and four per cent of all DALYs (Disability Adjusted

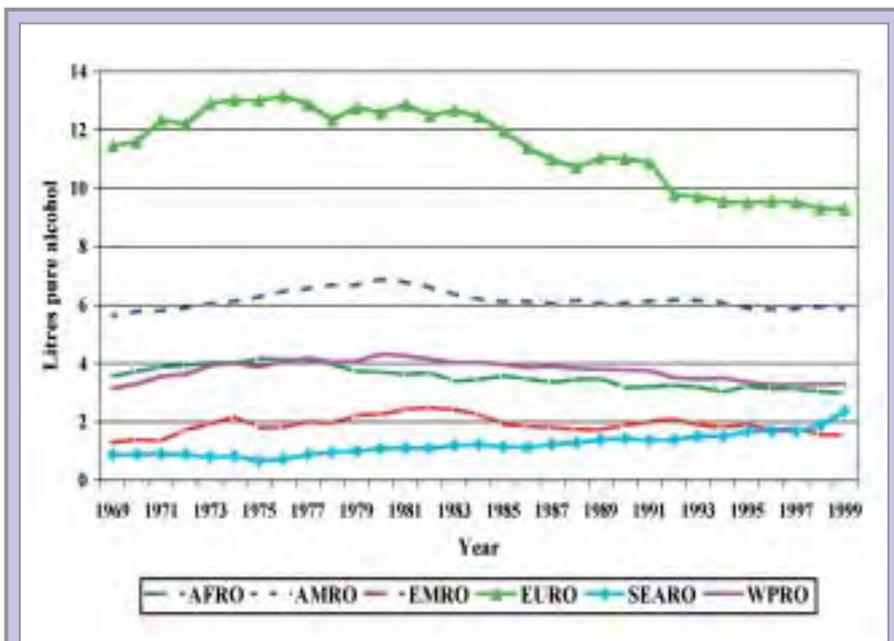


Global distribution of burden of disease



Proportion of DALYs – attributable to selected risk factor

Advocacy in action



Trends in Adult Per capita Consumption

Life Years) – that is 58.3 million. The proportion of this burden is higher in men (5.6 per cent deaths, 6.5 per cent DALYs) than in women (0.6 per cent deaths, 1.3 per cent DALYs).

Database

Nina Rehn, who is Technical Officer for the Management of Substance Dependence at the World Health Organization (WHO) outlined the

work being done on the Global Alcohol Database, the world's largest single database on alcohol. The main indicators on which information has been gathered are per capita consumption, mortality/morbidity, and drinking patterns. Ms Rehn said that currently figures were available for per capita consumption in 178 countries and that there have been 670 prevalence studies in 122

countries. GAPA hopes that the data collected by WHO will form the science-based alcohol policies of the future.

Ms Rehn went on to discuss the varying attitudes to alcohol advertising in the WHO South East Asia and Western Pacific Regions:

In these WHO regions, as anywhere else, price, of course, has a dramatic effect on alcohol consumption and types of alcohol consumed, said Ms Rehn:

At the recent meeting of GAPA in Bangkok, the point was made again and again that young people of the developing world are increasingly being put at risk by the largely unfettered promotion of alcohol in their countries.

The Philippines

Joyce Valbuena, of the Health Action Network in the Philippines, stated that 60 per cent of teenagers in her country were beer drinkers, an increase of 15 per cent in the last eight years. The figures for those smoking (40 per cent) or using illicit drugs (7.2 per cent) show comparable increases. San Miguel beer is the most popular in the Philippines with a net profit for 2001 of \$124 million and confidently expects its domestic beer sales volumes to have increased by at least 3 per cent in 2002.

San Miguel did not achieve this success without making an effort. In 2002 it spent \$7.5 millions on an advertising campaign which exploited youth and sexual attractiveness. Pretty girls are the easiest way to catch the attention of young men but they themselves are also the target. The phenomenon of increased alcohol consumption among young women is not confined to western Europe. San Miguel's advertisements seek to associate attractive, sophisticated young Filipino women with their beer.

The many other beers available in the Philippines take much the same advertising route, with greater or lesser subtlety. Asia Breweries shamelessly play to the tradition of machismo. In one of their advertisements, typical of the genre, a sultry young woman, her ample bosom overshadowing a couple of bottles of beer, is leered at by a group of young men. The connection the advertiser wishes to make between the product and sexuality is clear.

In the Philippines, as in many in the same situation, whilst the marketers of alcohol have

Advertising restrictions in different media

| Country | TV | Radio | Print | Billboards |
|---------------|--------------------|--------------------|---------|------------|
| Australia | partial | partial | partial | partial |
| Cambodia | no | no | no | no |
| China | no | no | no | no |
| India | ban | ban | ban | ban |
| Japan | partial | no | partial | no |
| Lao PDR | partial | partial | no | no |
| Sri Lanka | partial | partial | no | no |
| Thailand | partial (S) | no | no | no |
| Mongolia | ban | ban | ban | - |
| Rep. of Korea | Ban (S), no (B) | Ban (S), no (B) | no | no |
| Palau | no | no | no | no |

Advertising restrictions

a relatively free hand and are taking every advantage of it, efforts to combat the problems arising from alcohol consumption on the part of governments is half-hearted. Ms Valbuena pointed out that, although there are governmental and non-governmental programmes for substance misuse, these are primarily aimed at smoking and drug addiction, against which alcohol is seen as a minor problem.

Rehabilitation for those with acute addiction to alcohol is difficult to access, counselling programmes are not in place, and there is little or no effort made to inform the population, especially young people, about the hazards of alcohol abuse.

Malaysia

Like other developing countries, Malaysia is facing an increasing problem of alcohol abuse. The precise magnitude of the problem is difficult to ascertain because so few studies have been carried out. One indicator, of course, is the volume of alcohol sold. Available figures show that taxes on alcoholic beverages collected for the year 1996 rose to RM 817 million from 769 million in 1994. Similarly, in 1995 there were 2,360 public premises licensed to sell alcoholic drinks. In 1996 this number increased by 50 per cent.

The National Health and Morbidity Survey of 1996, which among other aims set out to determine the prevalence of alcohol drinking among non-Muslim adults in Malaysia, showed that, of the 23 per cent of the population who drank, 32.5 per cent reported a high intake. One result of the survey was the establishment of the National Alcohol Control Programme, the aim of which is "to reduce the level of alcohol consumption to minimise problems related to alcohol abuse".

Besides creating awareness among the general public on the health and other harmful effects of alcohol abuse, the Programme aims to "review and amend legislation". There is already a body of law in Malaysia which restricts the activities of the alcohol industry. Alcohol advertising is prohibited on radio and television, although it is permitted in the print media, cinemas, and hotels' in-house TV networks.

The Road Transport Act of 1996 imposes heavy penalties on drink drivers, including fines and



imprisonment and there are relatively long-standing laws aimed at the eradication of the illicit production of samsu.

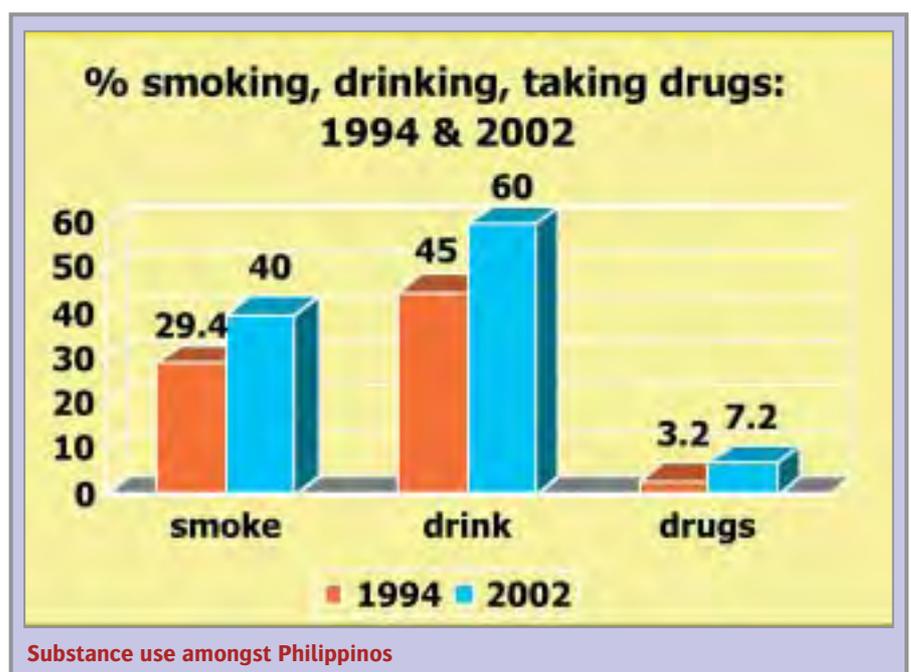
Australia

An interesting comparison in the same Region, but from a developed country, was provided by Bill Stronach who gave an overview of the situation in Australia, particularly in regard to the marketing of alcohol at adolescents.

The Alcohol Beverages Advertising Code of Australia states that advertisements must "present a mature, balanced and responsible

approach to the consumption alcohol beverages" and they must not "have a strong or evident appeal to children or adolescents" Furthermore, there must be no suggestion "that the consumption or presence of alcohol beverages may create or contribute to a significant change in mood or environment".

The Australian Drug Foundation conducted a survey of adolescents in the 13 to 17 age range and found that 70 per cent of them drank alcohol. The proportion of drinkers in rural areas (74 per cent) and metropolitan regions (69 per cent) were similar. 56 per



Advocacy in action

Relative price of alcoholic beverages (standardized to GDP per capita)

| Country | beer | wine | spirits |
|---------------|------|-------|---------|
| Australia | 0.6 | 2.8 | 7.0 |
| Cambodia | 59.9 | 445.3 | 19.8 |
| China | 6.6 | 26.5 | 26.5 |
| India | 15.3 | 139.0 | 55.6 |
| Japan | 0.6 | - | 4.1 |
| Lao PDR | 13.4 | 174.8 | 22.5 |
| Sri Lanka | 5.1 | 105.9 | 34.1 |
| Thailand | 3.4 | 52.9 | 22.2 |
| Mongolia | 10.6 | 95.9 | - |
| Rep. of Korea | 1.6 | 2.0 | 45.5 |
| Vietnam | 12.1 | 19.9 | 29.8 |

Trends in Adult Per capita Consumption

cent of these young drinkers spent their own money on alcohol – at an average of \$22 on the last occasion of purchase. Alcohol ranked as the fourth most common expense for young people.

37 per cent of the drinkers among young people obtained their alcohol from friends over 18 years old, 26 per cent from their parents, and 14 per cent bought the alcohol illegally themselves. 46 per cent consumed ready-to-drink products and 33 per cent had consumed spirits on the last occasion. Taste was the most common reason given for selecting the last drink consumed (58 per cent).

Among young people, the type of alcohol advertising recalled was generally associated with the alcoholic drink last consumed – for example, those who last consumed a ready-to-drink product recalled an advertisement for a ready-to-drink product. More non-drinkers (21 per cent) than drinkers (7 per cent) recalled health promotion advertisements. Bill Stronach linked the survey of young Australian drinkers to an examination of a television soap opera directly aimed at their age group, “The Secret Life of Us”.

The characters portrayed are largely young and attractive. Twenty-two episodes aired in 2001,

at an average running time of 43.5 minutes, were studied. Two measures were taken: the frequency with which alcohol was shown and the screen time it occupied.

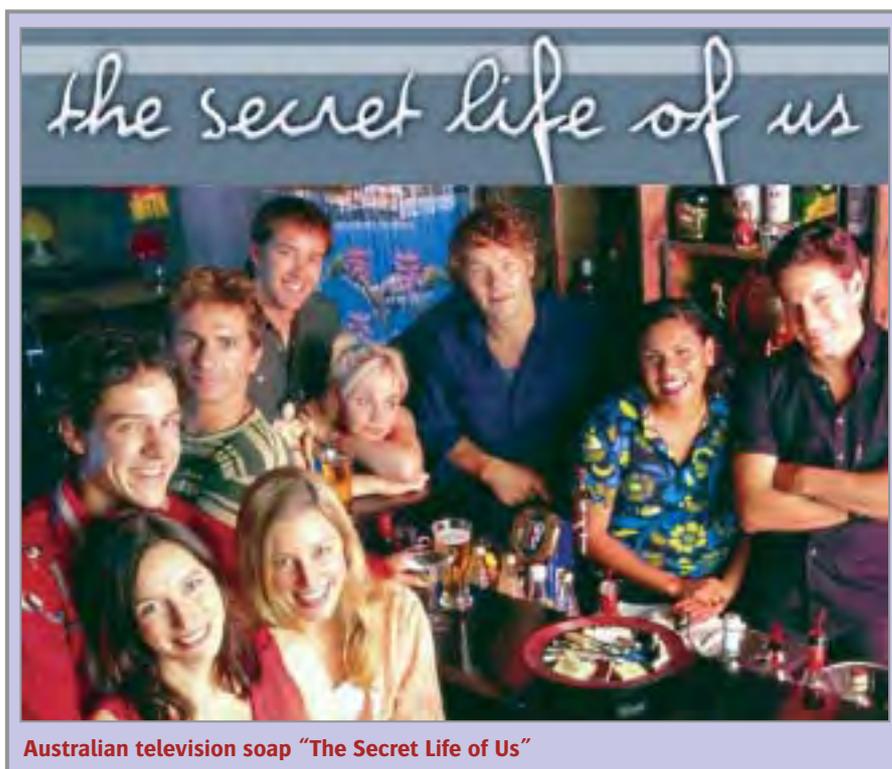
Alcohol featured in 25 per cent of scenes, ranging from 11 per cent to 45 per cent of

each episode. Alcohol was visible on screen for an average of 4.54 minutes (11.5 per cent of time). The range was between 8.08 and 2.15 minutes. Of the scenes featuring alcohol, 48 per cent showed beer, 30 per cent wine, 14 per cent spirits, 5 per cent mixers, and 3 per cent champagne. The most common brands shown were Crown lager and Vic Bitter.

In the soap, 100 per cent of characters consumed alcohol. Excess consumption was shown in a number of episodes with few adverse consequences being shown. The alcohol use was shown mostly in the context of social interaction. The implication was clear that young people were being shown alcohol as a natural part of the life of their age group and an inevitable part of the relationship of attractive and enviable people.

Recommendations

The GAPA meeting in Bangkok adopted a series of recommendations which sent out a clear message ▶



Australian television soap “The Secret Life of Us”

Recommendations of the GAPA consultation

Recognizing the burden of social harm, injury and disease done by alcohol; noting that the Asia Pacific Region, and in particular its young people, is a target of market expansion of the alcohol industry; and welcoming the World Health Report 2002 which alerts governmental and non-governmental bodies to the fact that 4% of the total disease burden of the world is attributable to alcohol, the consultation of the Global Alcohol Policy Alliance, which took place in Bangkok, 15-16 December 2002, calls on:

- 1 International governmental and non-governmental organizations to give greater priority to reducing the burden of disease caused by alcohol; in particular the World Health Organization to strengthen its action on alcohol by preparing and implementing an international strategy to combat and prevent the rising trend in alcohol consumption and alcohol related harm in the world.
- 2 All countries to develop appropriately resourced evidence based alcohol control policies that promote effective and cost effective strategies to reduce the harm done by alcohol; to ban the promotion of alcohol by means of advertising and sponsorship, recognizing that codes of practice and self-regulation by the alcohol industry do not work; to constantly monitor the marketing strategies of the alcohol industry with particular regard to young people and women;
- 3 Governments to formulate and deliver their alcohol policies for the public good, independent of the commercial interests of the alcohol industry;
- 4 Governments to provide funding for capacity building of relevant governmental sectors and non-governmental organizations to plan, develop and implement effective programmes for alcohol control, recognizing the examples of good practice of the Ministry of Health of Thailand, the Ministry of Health of Malaysia and other jurisdictions such as the State of Victoria, Australia;
- 5 Governments to ensure that, in the interest of public health, alcohol policies are not subordinate to the current negotiations on GATS of the World Trade Organization; and
The meeting expressed concern over the growth of social aspect organizations which have been set up by the alcohol industry in industrialised countries and are now spreading to developing countries.

The meeting supported the critique published by Eurocare 'The beverage alcohol industry's social aspects organizations' and endorsed its recommendations on relationships with social aspects organizations of the alcohol industry
- 6 Governments need to implement evidence based policies to reduce the harm done by alcohol, with such policies formulated by public health interests, recognizing that the viewpoints of social aspects organizations are not impartial and represent the vested interests of the beverage alcohol industry.
- 7 Governmental organizations should be concerned at spending public money on the programmes and policies put forward by the social aspects organizations, since such programmes and policies lack evidence of effectiveness.
- 8 A proportion of alcohol taxes, hypothecated for the purpose, should be used to fund relevant independent non-governmental organizations to implement evidence based campaigns to reduce the harm done by alcohol.
- 9 Governments should support nongovernmental organizations that are independent of the beverage alcohol industry and that promote initiatives aimed at reducing the harm done by alcohol, recognizing that critical appraisal of government policy should not call financial support for non-governmental organizations into question.
- 10 Independent non-governmental organizations that have a specific role with regard to safeguarding effective alcohol policy should inform and mobilize civil society with respect to alcohol-related problems, lobby for implementation of effective policy at government level, and expose any harmful actions of the beverage alcohol industry.
- 11 In discharging their role, and in maintaining their respect with civil society, non-governmental organizations mentioned in point 5 above should remain completely independent of social aspects organizations and any communications between such non-governmental organizations and social aspects organizations should be transparent, and placed in the public domain.
- 12 All independent scientists that are paid by or undertake work for social aspects organizations and the beverage alcohol industry should state their declarations of interest in their scientific publications.
- 13 Research scientists in high income countries should consider their ethical responsibility not to profit from or contribute to the beverage alcohol industry's actions in low income countries which often lack the infrastructure to respond to and effectively regulate the beverage alcohol industries' marketing practices.
- 14 Greater vigilance and monitoring of beverage alcohol industry behaviour is needed, especially issues of intelligence-gathering; image management actions such as industry-initiated dialogues; active agenda-setting in the areas of research or publishing, with a particular emphasis on so-called beneficial patterns of drinking; and the image transfer effect of industry connections with reputable scientists and public health organizations.

Alcohol marketing and youth: Monitoring the effectiveness of the U.S. alcohol industry's self-regulation

David H. Jernigan

The intention of this article is to set out the context for alcohol advertising and promotion to youth through a brief description of the profile and toll of youth alcohol use. The alcohol industry's voluntary standards and efforts at self-regulation will then be examined, and finally some results of the work being done by the Center on Alcohol Marketing and Youth at Georgetown University, Washington, DC, to monitor alcohol advertising exposure to youth audiences will be provided.

The consequences of youth alcohol use are real and tragic. Alcohol plays a substantial role in the three leading causes of death

among young people: unintentional injuries such as motor vehicle crashes, falls and drownings, as well as suicides and homicides.

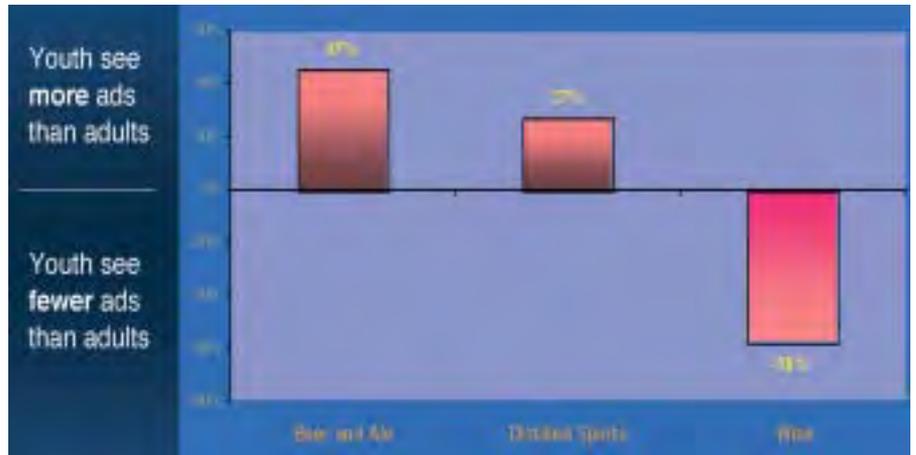
Young Americans who begin drinking prior to the age of 15 are four times as likely to develop alcohol dependence as those who wait until they are 21 to drink. Yet the numbers of American teens 12 to 17 who report having started drinking seems to be growing significantly, from 2.2 million in 1995 to 3.1 million in 1999. Monitoring the Future, the federal government's annual survey of drug use among schoolchildren, recently found that 16.6 per cent of eighth graders reported having been drunk at least once in the past year. By the tenth grade, that number has increased to nearly 40 per cent. Heavy sessional drinking (alcohol consumed at the level of five or more drinks on a single



occasion) accounts for nearly all of the alcohol consumed by teenagers.

Self-regulation in the alcohol industry is based on codes adopted by trade associations and the companies themselves. The codes of the beer and distilled spirits manufacturers deserve the closest attention because they are the largest alcohol marketers. Statements from the codes will be paired with examples of current advertising. The Beer Institute code says that "Beer advertising should not suggest directly or indirectly that any of the laws applicable to the sale and consumption of beer should not be complied with." Yet an advertisement for Sam Adams Light Beer showed a young man hiding his beer behind his back when a law enforcement officer came to the door of his apartment. Offended by the advertisement's apparent mockery of law enforcement, the National Liquor Law Enforcement Association endeavored for four months to get the company to withdraw it, and only succeeded after taking the story to the Boston Globe.

The Beer Institute code also states, "No beer identification, including logos, trademarks, or names should be used on clothing, toys, games or game equipment, or other materials intended for use primarily by persons below the legal purchase age." Yet a Heineken magazine advertisement depicts a Nintendo video game controller with two beer bottles taped to it, and the tag line, "Add two more



features to your controller." The code says, "Beer advertising and marketing should not contain any lewd or indecent language or images," a provision flaunted by numerous beer advertisements. The code stipulates, "Beer advertising and marketing materials should reflect generally accepted contemporary standards of good taste," and "beer advertising and marketing materials should not portray persons in a state of intoxication or in any way suggest that intoxication is acceptable conduct." Yet a current series of Coors television advertisements shows young people and young adults engaged in activities of questionable taste and exuberance suggesting intoxication, answering the question of why they are doing these things with the words, "Because we can."

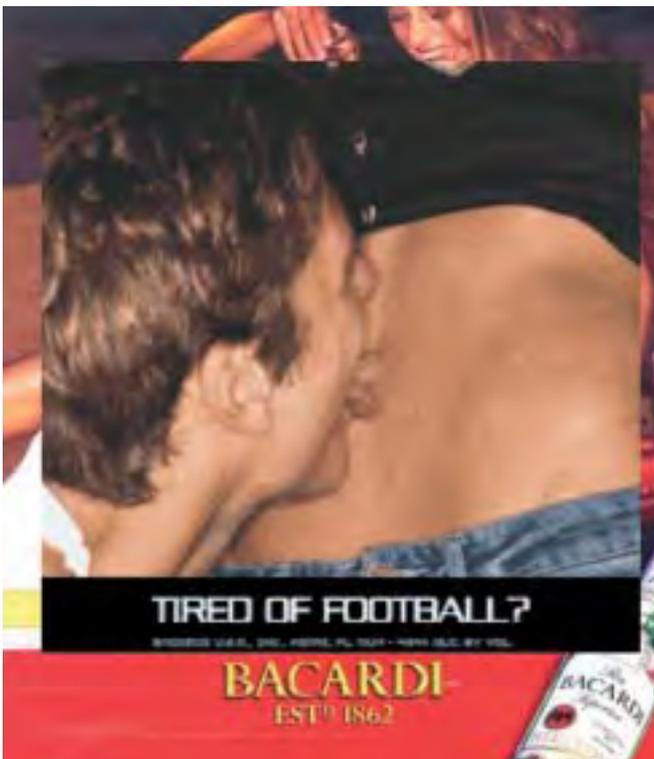
When asked about enforcing the code during the Sam Adams controversy, Beer Institute general counsel Arthur Decelle told the Boston Globe that enforcing the code "is not our job. The code is not going to work if we become the judge."

On the distilled spirits side, the Distilled Spirits Council of the United States (DISCUS) code states that, "No distilled spirits advertising or marketing materials should contain advertising copy or an illustration unless it is dignified, modest, and in good taste." Yet distilled spirits advertising

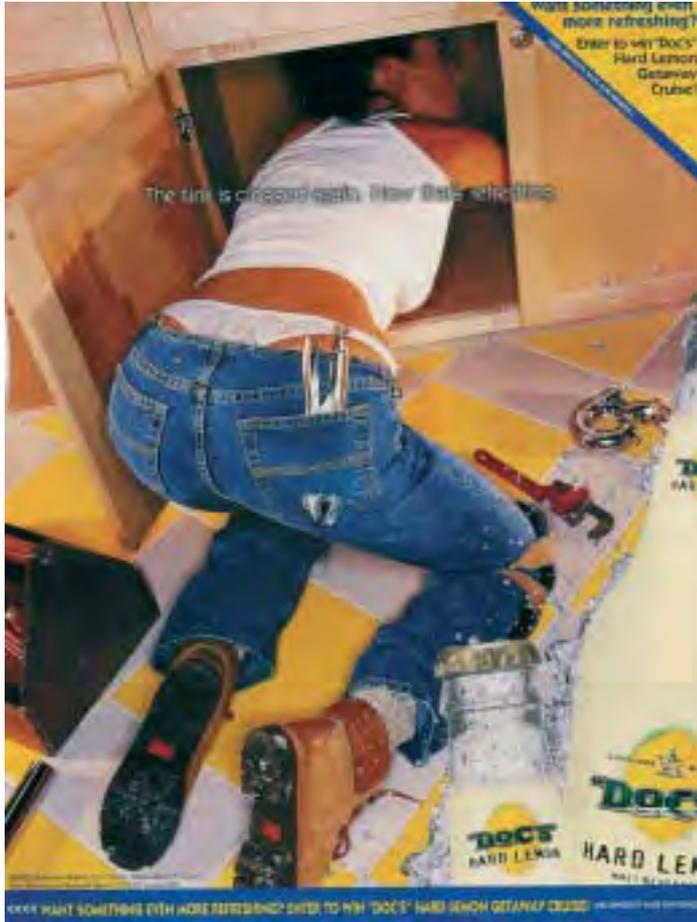
regularly features scantily-clad models in suggestive poses. The DISCUS code is based on two general principles. The first is "to ensure responsible, tasteful, and dignified advertising and marketing of distilled spirits to adults who choose to drink." Many would conclude that the recent magazine advertisement for Bacardi rum, showing a man licking a woman's stomach, failed to live up to this standard. The advertisement was the subject of a protest to DISCUS, and Bacardi complied by discontinuing the print version. However, the segment of the advertisement showing the young man licking a woman's stomach remained on the Bacardi website for nearly a year afterwards, accompanied by the words "Tired of football? Join the party." The current campaign for Cutty Sark whisky, including sexually explicit internet downloads available to any who are able to click "enter" to get into the site, is also lacking in this regard.

The second DISCUS principle is "to avoid targeting advertising and marketing of distilled spirits to individuals below the legal purchase age." A recent study of alcohol advertising in magazines reported that distilled spirits producers accounted for 82.7 per cent of all alcoholic beverage advertising in magazines in 2001, spending approximately \$332.7 million. More than half of the money alcohol producers spent on alcohol magazine advertising was in 24 magazines with youth audiences that exceed 15.8 per cent - the proportion of youth ages 12-20 in the general population age 12 and over.

These findings come from the first study released by the Center on Alcohol Marketing and Youth last September. Established with support from The Pew Charitable Trusts and The Robert Wood Johnson Foundation, the Center's mission is to monitor the marketing practices of the alcohol industry and to focus



Alcohol marketing and youth



attention and action on industry practices that jeopardise the health and safety of America's youth. Reducing high rates of underage alcohol consumption and the suffering caused by alcohol-related injuries and deaths among youth requires using the public health strategies of limiting access to and the appeal of alcohol to underage persons. The Center does this by "reverse engineering" the marketing campaigns of the alcohol industry. Working with a media planning firm with 25 years of market research experience, and using the same market research databases and methodologies employed by the industry, the Center's analysis exposes information that was available to the industry when it made decisions about where and how to spend its advertising dollars.

The Center is looking at exposure in each of the principal categories of measured media. What we found in our first report, on alcohol advertising in magazines in 2001, is that total youth exposure to beer and distilled spirits advertising in magazines is systematic and pervasive. In 2001, youth ages 12-20 saw more beer and distilled spirits advertisements than adults 21 and over: 45 per cent more beer advertisements and 27 per cent more distilled

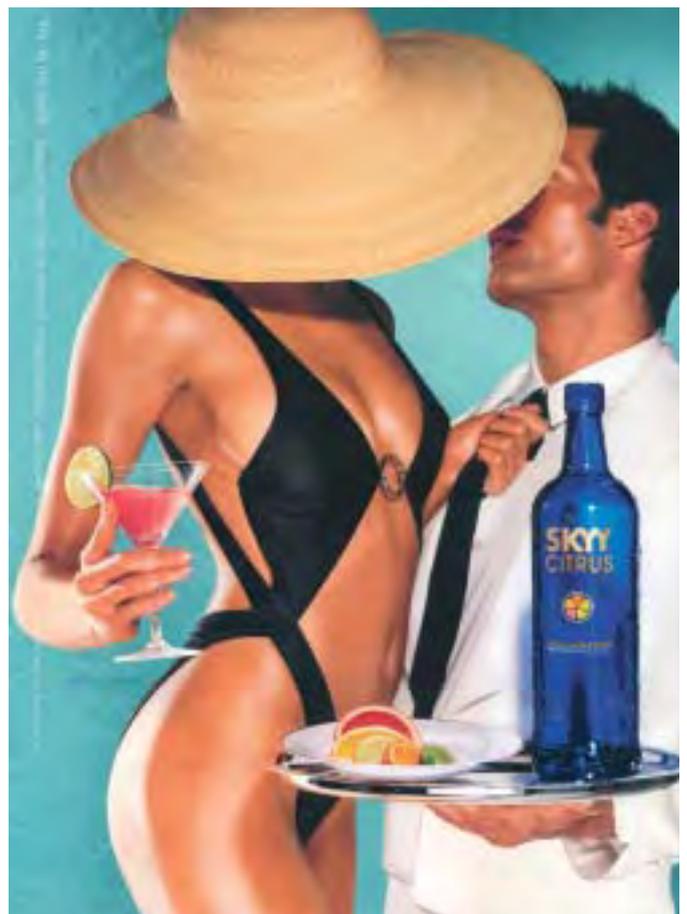
young readers relative to the presence of young people in the general population 12 and above.

In our report on alcohol advertising on television in the U.S. in 2001, released in December 2002, we examined 208,909 alcohol advertisement placements on television in that year, and found that nearly one-quarter of those on U.S. television were more likely to have been seen by young people than by adults. Youth were more likely to see advertisements for alcohol than for such traditional youth oriented products as candy, gum, sneakers, skincare products, or jeans. And finally, the distilled spirits and

spirit advertisements; more malterative ads – 60 per cent more advertisements for the new sweet and fizzy beverages such as Smirnoff Ice; and fewer wine advertisements – 58 per cent fewer than adults. Nearly a third of all alcoholic beverage advertising was placed in ten magazines with youth audience compositions of 25 per cent or greater, while 25 brands placed their advertisements solely in magazines delivering disproportionately high numbers of

beer industry standards stating that advertisements may not appear on programmes with audiences composed of a majority of persons under the legal drinking age of 21 left 99 per cent of television programming open to alcohol advertisements.

Clearly there is a need for stronger standards for alcohol advertising exposure to youth. In its review of alcohol industry advertising practices in 1999, the Federal Trade Commission (FTC), the body in the U.S. responsible for protecting consumers as well as safeguarding market competition, called on the industry to "raise the current standard to reduce underage alcohol ad exposure." The FTC said the industry should create independent external review boards with responsibility and authority to address complaints, and asked the industry to bar placement on television series and in other media with the largest underage audiences, and conduct regular audits of previous placements. Little has happened on any of these fronts since the FTC released its report in 1999. Meanwhile, Mothers Against Drunk Driving has called for restricting the placement of alcohol advertisements on television to programmes where the underage audience is 10 per cent or less. The American



Medical Association has called for a complete ban on all broadcast advertising of alcohol.

To provide a scientific base for policy debates over youth exposure to alcohol advertising, the Center on Alcohol Marketing and Youth will continue its analyses, moving on in the coming months to other measured media such as radio, as well as to more ephemeral media such as the internet, sports marketing, sponsorships, and product placements in film and entertainment television.

The alcohol industry's advertising images are placed so that they can become lodged in our children's imaginations, their social lives, the magazines they read, the music they listen to, the places they go during their school vacations. At the Center on Alcohol Marketing and Youth, we plan to extend our monitoring activities so that we are everywhere that the alcohol marketers are. We hope in this way to assist the American public, including parents, policy makers, and the press, to raise our awareness of the alcohol industry's marketing

practices. This is a central goal of the Center on Alcohol Marketing and Youth, so that findings like those we have shown today do not fly under our collective radar. It is our belief that the ensuing policy discussions will lead to clear and enforceable standards for alcoholic beverage advertising that allow for legitimate business activity while protecting our children from predatory marketing practices.

Dr David H. Jernigan is Research Director, Center on Alcohol Marketing and Youth, Georgetown University, Washington, D.C.

Australian risky drinking

Although the recent report from the Australian Institute of Health and Welfare, *Statistics on Drug Use in Australia in 2002*, stated that alcohol use in Australia is declining, it has been shown that, on the contrary, Australian drinkers are continuing to put themselves at risk of harm by going beyond the safe limits set out in the new Australian Alcohol Guidelines. Work done by researchers from the National Drug Research Institute at Curtin University in Perth and Turning Point Drug and Alcohol Centre in Melbourne found that 63.1 per cent of alcohol consumed was on occasions when safe limits were exceeded, thus putting the drinker at risk of injury, acute illness, or both. In the case of young drinkers aged 14 to 24 years, this figure leaped to 80.9 per cent. The total volume of alcohol consumed in Australia has remained the same for ten years whilst heavy sessional drinking by young people has gone up.

The research has, for the first time, attempted to measure the contribution of different alcoholic beverages to high risk drinking. It found that for the same age range of young people, the greatest proportion involved the consumption of ordinary strength beer (39.3 per cent).

The second largest contributor to high risk drinking was bottled spirits (34.0 per cent) and the third was pre-mixed spirits (14.1 per cent).

Speaking about the research, which was presented at an international research symposium entitled *Preventing substance use, risky use and harm: What is evidence-based policy?* held in Fremantle, Professor Tim Stockwell, Director of the National Drug

Research Institute, said that young people very infrequently considered low- or mid-strength beer which respectively comprised only 1.6 per cent and 0.8 per cent of the 14 to 24-year-old alcohol market.

"Currently, alcohol taxes provide little incentive for young people to choose lower alcohol drinks", said Professor Stockwell. "A typical low alcohol beer bought from a liquor store is taxed at a higher rate (52 cents per standard drink) than mid-strength (37 cents per standard drink) or regular-strength beer (44 cents per standard drink).

"If we are serious about reducing risky alcohol consumption, the tax on full strength beer

should be increased towards that of pre-mixed spirits (61 cents per standard drink) and there should be a cut in the tax on low alcohol beer," he said.

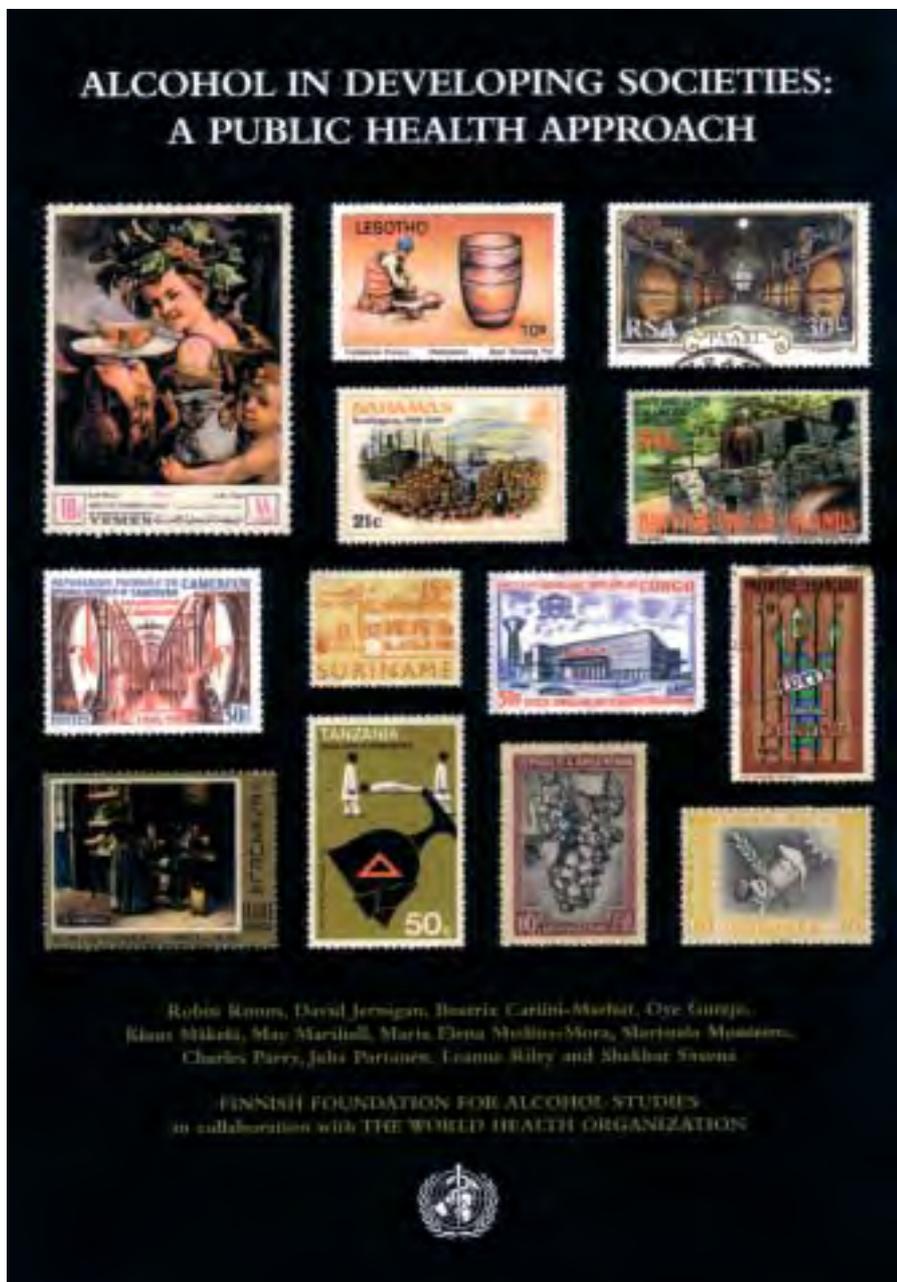
A 2001 Australian Institute of Health and Welfare report estimated that 3,271 lives are lost each year was a result of drinking beyond the Australian Alcohol Guidelines. The Guidelines, formulated by the National Health and Medical Research Council and recently launched by the Commonwealth Government, focus on patterns of consumption, suggesting that people should avoid heavy drinking sessions and space their drinking out over no more than five days a week. Men are advised to drink no more than an average of four standard drinks a day and women no more than an average of two standard drinks a day to prevent chronic health problems such as alcoholic liver cirrhosis.

The recommended weekly limits remain at 28 standard drinks for men and 14 for women.

This research comprises the sixth phase of the National Alcohol Indicators Project (NAIP), the first such project to monitor and report on trends in alcohol-related harm in Australia at national and state or territory levels. The study used data from the 2001 National Drug Strategy Household Survey and incorporated a new, more accurate method for estimating alcohol consumption. The present findings are intended to provide a benchmark against which future trends in alcohol consumption may be compared.

Alcohol in Developing Societies: A Public Health Approach

Finnish Foundation for Alcohol Studies in collaboration with the World Health Organization



“...Alcoholic beverages are global commodities and drinking is a widespread social custom, but alcohol is also a major source of health and social problems, in developing societies as elsewhere. Through controls and other prevention measures, the burden of disease and disability can be reduced. Under the auspices of the World Health Organization, an international group of scholars analyzes the many sides of the picture, with a focus on Africa, Latin America, Asia, Oceania and indigenous societies within developed countries.”

The book from which the quotation is taken originated from an initiative of the World Health Organization, Geneva, an initiative which reflected the fact that WHO has responsibility for public health on a global basis. This obviously implies a special responsibility for developing societies. The question which the WHO staff found

themselves facing was, what could be said in the context of developing societies about rates, patterns and trends in drinking and in alcohol-related problems, and about evidence on the effects of different alcohol policies and prevention programmes? Reflecting the available literature, the analyses and arguments in *Alcohol Policy and the Public Good* had been based almost entirely on material from developed societies.

The original idea of this book, then, was to prepare a volume in the tradition of *Alcohol Policy and the Public Good*, but drawing on material from developing societies, and directed at audiences in those societies.

The primary audience for which this book is written is those involved in dealing with alcohol problems in developing societies. This includes not only public health workers, and those involved in work in health, social work, law enforcement and public administration, but also policymakers and concerned citizens. The WHO also had in mind an audience of students and scholars in developing societies. Besides these primary audiences, it is hoped that scholars, public health workers, policymakers and others from developed societies will also find that a sustained look at alcohol issues in the context of developing societies sheds new light and opens interesting perspectives on major issues in the field.

The book brings together sections written by the foremost experts in their fields and thoroughly examines the available data on the subject. In the concluding chapter, the principal lessons to be drawn from the substantial literature available from developing societies on the different strategies for managing and reducing rates of alcohol-related problems are summarized:

- The politically easy strategies are often the least effective.
- Well-designed alcohol education is an appropriate part of the school curriculum, but is unlikely by itself to do much to reduce the rates of alcohol problems in a society.
- Likewise, a low-intensity public information and persuasion campaign may have the symbolic value of appearing to do something about problems, but will usually have little practical effect on them.

- Provision of treatment is a worthy and humane initiative in a modern society, but its primary justification is in terms of help given to drinkers and their families. In and of itself, it is unlikely to lead to a reduction in a society's rate of alcohol problems
- Evaluation studies have demonstrated that measures that restrict and channel sales and consumption of alcohol can be effective in holding down or reducing rates of alcohol-related problems, including harm to those around the drinker.
- Effective measures include taxation to limit consumption levels, specific licensing of alcohol outlets, limits on the number of outlets and on the times and conditions of alcohol beverage sales or service, minimum-age limits, and drinking-driving counter-measures.
- Government monopolies of all or part of the retail or wholesale market have often been effective mechanisms for implementing alcohol control measures, while ensuring equitable availability.
- Limits on advertising and promotion, and requirements for warning labels or signs, are also of symbolic importance, though it is often difficult to demonstrate their short-term effectiveness in changing drinking behaviour.

The book closes with the following conclusion:

"Alcohol has been entwined with nearly all human societies throughout recorded history. In the current world its use is very broadly spread, though probably only a minority of all humans alive drink alcohol beverages at all. For many drinkers, alcoholic beverages have positive connotations and pleasant associations. Since regular drinking tends to be more common among the affluent and powerful in many societies, attitudes favouring ready availability of alcohol tend to be over-represented in policy-making circles. But the harmful consequences of alcohol use, both for the users and for others, are extraordinarily diverse and widespread. Often these consequences bear hardest on population segments with little political power.

"The harm from drinking, which includes not only adverse consequences for health but

also major social problems, makes alcohol a very special commodity, not just another item of trade or commerce. ... [T]his is readily apparent in the context of developing societies. A global perspective on alcohol policy needs to acknowledge and take into account all the characteristics and contradictions of alcoholic beverages, and yet to focus and act on the public health policy goal: to minimize the harm from drinking.

"This goal is often stated but little acted upon by governments across the globe. In the developing world, changing patterns of alcohol production, trade and use have combined with the demands of development and urbanization to produce rates of alcohol problems that are substantial by any measure. yet often unmeasured, unmonitored, and underestimated in their impact.

"Although the pace of change in developing societies is rapid, the direction of change in levels of alcohol problems is not inexorable. Policies that effectively reduce the level of social and health harms from alcohol require preparation and planning. Developing the knowledge base is an important first step: documenting levels and trends in alcohol-related problems, reaching an understanding of how drinking levels and patterns contribute to these problems, and assessing and disseminating knowledge of strategies that are effective in reducing the rates of alcohol problems."

Alcohol in Developing Societies: A Public Health Approach

Finnish Foundation for Alcohol Studies in collaboration with the World Health Organization, 2002, 276 pages

ISBN 951-9192-63-8 is available at Swiss francs 23. —/US \$20.00, (in developing countries: Sw.fr. 16.10)

Published by the World Health Organization, Geneva.

Action on problem drinking in the US needed

According to a new study, teenagers account for nearly 20 per cent of the annual alcohol consumption of the United States, while excessive drinking by adults accounts for another 30 per cent. "If half of all alcohol consumption is a product of misuse and abuse, we have a real problem on our hands," said Susan E. Foster, an epidemiologist at the National Center on Addiction and Substance Abuse at Columbia University. It was Dr Foster who led the team of researchers whose results were recently published in the Journal of the American Medical Association.

"The implications are that the alcohol industry has an economic interest in both, and that interest is at odds with public health," she said.

The industry, needless to say, was swift to respond, claiming that the study has flaws in its methodology and the estimate of teenage drinking is nearly double the level reported by the government. An industry spokesman also questioned the study's definition of abuse as any instance of consumption beyond the level of two drinks a day.

"Illegal underage drinking and alcohol abuse in any amount is a serious problem, but [Foster] does no one any good by repeatedly playing fast and loose with the data," said Dr Peter H. Cressy, president and chief executive of the Distilled Spirits Council.

Whatever the exact figures, underage drinking "is a real problem that we need to address

correctively, in the family and in the community," said Dr Ting-Kai Li, director of the National Institute on Alcohol Abuse and Alcoholism. Is this something new? No, it is not. Is it increasing? I don't know. I think it doesn't matter whether it is increasing or decreasing. It is an important problem that we must address."

Dr Foster and her colleagues released a similar report a year ago that said underage drinking accounted for 25 per cent of alcohol consumption. In an interview she admitted that the group had erred in that previous study, overestimating underage drinking because youths were overrepresented in the federal surveys it relied upon.

"We've spent the better part of a year getting it right and we are now confident of our findings," she said.

Dr Foster added that the team's new estimates were very conservative.

The surveys that supplied the data did not include high school dropouts, young people in the military, the homeless, and the institutionalized - all groups that are known to exhibit heavy alcohol consumption.

There is no doubt that drinking among teenagers is a severe problem, not only because it is illegal, but also because it can damage the brain and in the process have a



detrimental effect on mental and social development.

Studies in the United states have shown that individuals who begin drinking before the age of fifteen are four times more likely to become alcoholics as those who wait until they are adults,

Three former U.S. surgeons general -- Julius Richmond, Antonia Novello and David Satcher -- joined with the Columbia researchers in a nationwide call for concerted action on the part of the alcohol industry, parents, and the public health community.

Among other measures, they suggested an industry endowment for an independent foundation to curb underage drinking, as well as excessive drinking by adults; the inclusion of information on the dangers of underage and excessive drinking on labels, as is the case for cigarettes; and the provision of the nutritional content of products, including calories, on the labels.



Alcopops in Norway

Anders Ulstein

Until recently, alcopops were sold in Norway at the state alcohol monopoly and beer in licensed grocery stores. From January this year, it was permissible for alcopops with a strength of less than 4.75 per cent alcohol to be sold in grocery stores. This followed the ruling from the European Free Trade Association (EFTA) that policy measures have to be applied equally to products with the same alcohol content (that is, less than 4.75 per cent alcohol). A campaign lead by Alkokutt has tried to limit the damage by appealing to retailers to show restraint or to refrain from offering alcopops at all. The campaign is still on, but there is evidence that the sale of alcopops is surging, the age limit (eighteen years old) is being flouted, and as the picture shows, some retailers promote and display the new products aggressively.

Internal Market Rules

In a judgment of March last year, the EFTA Court ruled that Norway had failed to comply with the European Economic Association (EEA) Agreement by maintaining two forms of retail sale in that beer with an alcohol content of between 2.5 per cent and 4.75 per cent alcohol could be sold outside the alcohol monopoly, Vinmonopolet, while alcopops with the same alcohol content could only be sold through that monopoly. The EEA Agreement provides Norway with full access to the Internal Market whilst committing the country to the EC rules of competition and trade. The EFTA court corresponds with the EC court of justice in Luxembourg.

The EFTA Court noted that Norway may continue to maintain a strict alcohol policy. However, it must be implemented so as not to conflict with the rules of free movement of goods and of non-discrimination. The Court found that Norway had not been able to show that separating the sales of beer and alcopops was justified on the grounds of public health. "The different treatment of beer and other alcoholic beverages with the same alcohol content is neither suitable nor proportionate in relation to the

health objectives pursued", the court stated in a press release.

"A Competitive Relationship"

The Court also noted that measures necessary for the protection of public health may be adopted, as long as those measures apply equally to beer and other beverages with the same alcohol content. The government contended that there is no competitive relationship between beer and alcopops, arguing that young people consume alcopops

in addition to beer. Additionally, as its second line of defence, the government argued that the separation of beer and alcopops was justified on grounds of public health.

The court was of the opinion that beer and alcopops are "to some extent bought and consumed for the same purpose" and "may meet the same needs", concluding that "medium-strength beer and other beverages with the same alcohol content are, at least partially and potentially, in a competitive relationship". The second objection from the court was the fact that beer, which is predominantly produced domestically, was given a preferential treatment. Alcopops were at the time principally imported from other EEA States.

In short, as far as the EFTA court is concerned, beer and alcopops are two competing products and restricting the sale of alcopops to the Vinmonopolet is to the advantage of beer. The fact that a predominantly domestic product is given a preferential treatment over imported goods is a serious offence in the Internal Market.

Finally, the court also found that the public health argument did not apply. The court claimed that the government had not been able to prove that the contested rules are "necessary" and "proportionate" to that objective. The Court accepted that alcopops has a young appeal, but indicated that enforcement of age limits is more appropriate and a less restrictive measure.



Alcopops in Norway

In the few months after January 2003 sales have been high, as predicted. More than half a million bottles were sold following the court ruling, making alcopops second only to Coca Cola and beer. According to an independent account, the sale of beer has remained unchanged. However, in mid February the brewers' association insisted that they had recorded a 5.5 per cent drop in beer sales.

A campaign testing the enforcement of age limits showed that young people under eighteen could buy alcopops in ten out of

twelve shops in Norway's second largest city, Bergen, this January.

At the moment there is a wait-and-see situation. Both in parliament and in the Ministry of Social Affairs there is a will to solve the problem, but no specific proposal is on the table. Presently the sales figures of alcopops and beer need to be independently monitored in order to challenge one of the main premises in the court ruling, namely that alcopops is basically replacing beer. Secondly, alcopops' significant appeal to young people needs to be highlighted and what role is played by the

consumption of alcopops in the already disturbing drinking patterns of adolescents. Thirdly, there is no longer a clear case of discrimination against foreign goods. Several of the most popular alcopops brands in Norway are now produced and owned domestically. Lastly, the most important strategic goal is to reclaim the nation state's prerogative to make stricter judgments on matters of public health than the EC lawmakers and courts allow.

Anders Ulstein works with Actis, the Norwegian Policy Network on Alcohol and Drugs, at its Brussels Office.

Swedish court removes ban on alcohol advertising

The quarter century old ban on the advertising of alcoholic beverages in Sweden's printed media came to an end in February when the Swedish Market Court ruled that it violated European Union legislation, in particular, one of the principal features of the EU inner market, the free movement of goods.

The court's decision resolves a five year long legal struggle between the Consumer Board and Gourmet magazine and leaves producers of alcoholic beverages to advertise their products in the Swedish media. The ban on television and radio alcohol advertisements remains in force.

Jan Nilsson, editor-in-chief of Gourmet, said he expected the ruling to take immediate effect, adding that many beverage producers had been watching the court proceedings very carefully and awaiting the court's decision. A number of Swedish newspapers and magazines have said they would welcome advertisements for alcoholic beverages in their publications. They did, however, make the point that any such advertisements should be in good taste and not specifically directed to young people.

Sweden is now in the paradoxical situation of having a law which forbids advertisements for alcoholic beverages in the printed media and, at

the same time, regulations imposed by Brussels which make it quite all right to break that law

Government officials say they have already started preparing a draft of a new law, which they hope will be able to prevent the advertising of hard liquor products.

"It's too early to say anything about the details but we hope to be able to stop advertising for hard liquors as they've done in Finland," said Morgan Johansson, minister responsible for public health issues. In Finland it is prohibited to advertise beverages with an alcohol content above 23 per cent.

Mr Johansson found the ruling particularly alarming in the light of figures which showed that alcohol consumption rose by 8.3 per cent, measured as pure alcohol, last year.

The Market Court also ruled that the argument justifying the ban on public health grounds, put forward in court by the Consumer Board, was not in proportion to the damages caused

to trade. Instead, it claimed that the Swedish high alcohol taxes and the state retail monopoly were more than efficient tools to achieve such political goals.

The ruling does not apply to television and radio, although commercial television channel TV3, the first television channel ever in Sweden, ran commercials for several wine and whisky products last December and said it would continue doing so if the court ruled in the media's and advertisers' favour.

Swedish television channels face competition from satellite channels broadcast from abroad, such as the music channel MTV. These channels are able to carry advertisements for alcoholic beverages.

As the Swedish Government suffers this reversal of its long-standing policy, other countries are in the process of considering restrictions on alcohol advertising. Ireland's health ministry has announced that it is thinking about measures to control alcohol advertising as part of the government's plans to cope with alcohol abuse. These include a total ban on spirits advertising, health warnings included in all alcohol advertisements, a watershed for television advertising, and a ban on cinema advertising to audiences which include people under eighteen.

Eurocare v. ASA

By Derek Rutherford

Eurocare's presentation at the meeting of DG Sanco's Alcohol and Health Working Group, when the matter of alcohol advertising self-regulation was under discussion, has upset the Director General of the UK Advertising Standards Authority (ASA), Christopher Graham. In a letter to Eurocare he has accused the organisation of seriously misrepresenting two ASA adjudications and expresses concern "that some attending the meeting have been misled".

In reply Eurocare refused to accept the charge that they had misrepresented the adjudication maintaining that had they included the full adjudication it would have evoked "even greater incredulity and lack of credibility" over the ASA's decision making.

The Globe in its report of the meeting referred to the complaint against the Bordeaux Wine advertisement. There was certainly no misrepresentation in stating that the ASA had not upheld the complaint.

The ASA had stated that in their opinion the advertisement did not suggest that Bordeaux wine had enhanced sexual capability. ASA's objection was that Eurocare had not included

their warning to the "advertisers against implying that wine was the main reason for the success of a personal relationship". Eurocare's riposte to this offence is that if the "warning" had been included it would have reinforced the opinion that the adjudication is a clear example of the ASA's lack of serious intent to follow the codes both in letter and spirit.

Eurocare had also queried ASA's decision not to uphold a complaint against an advertisement for Abbots Ale.

Since the ASA was unaware that the image shown was part of any advertising, it was implied that Eurocare had manufactured the image for its presentation. The image in fact

was taken from the website of the Publican and formed part of a wider campaign by Greene King that included a TV advertisement which featured a woman tied to a bed and was carried by ITV in the autumn of 2002. When this was pointed out to Christopher Graham, he replied that the "Luxembourg audience must have been mystified as I was by the extraordinary images you presented alongside the ASA's Abbot Ale adjudication. I note from your explanation that this was a still frame from a completely different brand, in a medium the ASA did not even regulate. I wonder how many of your Luxembourg audience will have known of any of that, or how they are supposed to judge what is clearly a humorous advertisement from a single still". So it was 'humorous' not 'offensive' as the complainants maintained? The comment does call into question the stated aim of all self regulation organisations that advertisements should be "decent".

In the UK, ASA is responsible for advertisements in newspapers, magazines, brochures, posters, cinema and video commercials and advertisements in non-broadcast electronic media and the Independent Television Commission and Radio Authority are responsible for television and radio commercials. The division will be problematic when the alcohol industry launches multi-media campaigns for their product. Such problems could be overcome if pertinent questions are asked of advertisers about the extent and coverage of their advertisements during the complaints procedure and appropriate action taken. The ASA does have a budget of some £4.3 million (over 6 million Euro).

ASA's report "40 Years of Effective Self Regulation" makes play of the fact that two adverts for Cossack Vodka and Smirnoff in 1970 would be questioned under today's rules. Questioned they might be but Alcohol Concern's complaint over the Beaujalais advertisement shows only too well how far



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such questioning goes. Certainly not to the level that codes are “applied both in spirit and to the letter” .

One may wonder whether we inhabit two different worlds when ASA claims that after the strengthening of the code for alcoholic drinks in 1975 “an immediate change was apparent. Suddenly ads that implied sexual success from drinking alcohol were outlawed”.

Also ASA's claim that over the past 40 years they have “build up a reputation for considered judgements” - maybe true of other products but not with regard to alcohol. Nor would public health bodies concerned about alcohol advertisements agree with ASA's claim that “the partnership between the Code Writing Committee of Advertising Practice and the Complaints Adjudicating Panel is the great strength of today's self regulatory system” .

The Advertising Association set up the Advertising Standards Authority in 1962 and in order to ensure its financial base established a few years later the Advertising Standards Board of Finance, the body which collects income from a small levy on display advertising and

direct mail expenditure to meet ASA's costs. This was to ensure the independence of the ASA from the advertising industry. However, the Code of Advertising Practice is written by the Committee of Advertising Practice comprising 19 trade bodies that represent all elements of the advertising business. Among its aims are that advertising should be “legal, decent, honest and truthful”. ASA's Council, which consists of 12 people, adjudicate on complaints.

In 1991 the ASA helped to found the European Advertising Standards Alliance (EASA) which now has 28 self-regulating organisations in membership from 22 European countries and 4 non-European - Canada, New Zealand, South Africa and USA. In addition EASA includes industry organisations supportive of advertising regulation.

Recently the EASA gave a presentation of its work and philosophy to Commissioner Byrne of DG Sanco . The presentation clearly shows that it is the industry which determines self regulation and its codes. EASA is opposed to mandatory involvement of consumer organisations and government selection of stakeholders. It supports consultation with consumer groups and involvement of ‘real’ consumers in monitoring of codes. The description “real” arouses curiosity – EASA does not seem to define what it purports to be “real”.

In the presentation much emphasis is placed on the fact that compared with overall complaints about advertising material, the number of alcohol complaints is very low.

No doubt EASA wishes to convey that self-regulation is

working and there is little concern about alcohol advertising. However a low level of complaints does not imply general satisfaction with alcohol advertising, its volume and targeting. The following factors must play some part in the level of complaints:

- Adjudication decisions do not encourage the feeling that complaints are taken seriously. Indeed some replies verge on the flippant.
- The advertising industry sets the rules and adjudicating panels do not include public health personnel.
- Lack of awareness of the complaint system.
- A belief that statutory regulation and monitoring is required, anything else is a waste of time.

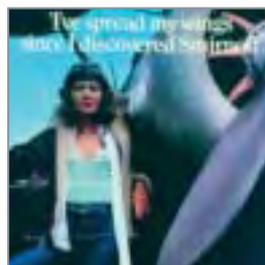
It was the fact that self-regulation was not respected that caused the French Government to introduce statutory regulation.

What needs to be noted is the double standard of the alcohol and advertising industries when it comes to the determination of alcohol policy. Both industries claim to be stakeholders in the alcohol policy process and insist on their right to a seat at the table. However this is denied to the public health field when it comes to the advertising regulatory systems. There is no level playing field. Public Health is plainly seen as an adversary and an obstacle to the industry maintaining its control on the content of advertising.

The Alcohol and Health Working Party had six presentations from the alcohol industry – all of which stressed the success of self-regulation. Eurocare presented the case for statutory regulation. Both sides expressed doubts on the other's objectivity. It is to be noted that the official minute of the meeting records:

“Representatives of the Member States and NGOs expressed their scepticism about industry's practice and sincerity concerning the protection of young people.”

The Advertising Association continues to attack the French Loi Evin as an infringement of their commercial freedom and rights. In a recent report they take comfort from the fact that after longstanding pressure from them the European Court of Justice will take up the issue of the Loi Evin. The fact that in the same report they speak of the UK's Whitehall as “reassuringly competent” and Brussels “worryingly politicised” shows that they are only happy when



they set and control the agenda. They go on to say, "Advertising, consumerists argue, is a direct cause of obesity, misuse of alcohol, smoking. . . .

The consumerist answer? To regulate, restrict and prohibit commercial communications. This view holds more sway in the corridors of Brussels than in the UK". There is no doubt that

this concern lies behind EASA's European Road Show on self-regulation with staged events in Spain, France, Austria, Germany and Hungary.

Whatever might be claimed for self-regulation in general, there is no evidence that, with regard to alcohol, it has had the effect of making the drinks industry or advertising

agencies more socially responsible in their marketing. There is sufficient evidence to show that alcohol advertising practice is out of control and that this had coincided with a growing youth alcohol problem. Exploitation of the youth market by the alcohol industry demands concerted government action.

Correspondence between Christopher Graham, Director General of the Advertising Standards Authority and Derek Rutherford, Secretary of Eurocare

Graham to Rutherford 17th January 2003

Colleagues at your Brussels office kindly supplied us with the presentation that Peter Anderson gave to the Alcohol and Health Working Group of the European Commission on 26 November 2002. Having been alerted to the possible misrepresentation of some adjudications of the Advertising Standards Authority in the UK, I was anxious to see what had actually been said.

I was concerned to find that both ASA examples contained in the presentation seriously misrepresent the Authority's adjudications. Accordingly, I am concerned that some of those attending the meeting may have been misled.

I set out in some detail the ASA's concerns about Eurocare's treatment of these examples in the attached appendix. I also include a further appendix setting out the ASA's approach to alcohol advertising.

I am sorry we were not alerted to Eurocare's concerns prior to the presentation. Since you have offices in the UK I should welcome such a meeting in the future.

In view of the possibility that a misleading impression may have been gained by those attending the meeting on 26 November, I am copying this to John Ryan and Gottfried Thesen of DG Sanco, John Bell of Commissioner Byrne's cabinet, Heimut Wagner of The Amsterdam Group and Oliver Gray of the European Advertising Standards Alliance.

Appendix 1

The ASA was originally sent an earlier version of the Eurocare presentation that contains substantially different examples to the version sent from Brussels. In the latest material there were two problematic non-broadcast advertisements of UK origin, one for Bordeaux Wine and one for Abbot Ale. We assume this version to be the one presented to the Commission in November. The earlier material we received referred specifically to other UK examples - a Halewood product called Hardcore and two other drinks called Archers and Red Square.

Bordeaux Wine

In the case of Bordeaux Wine, the advertisers' defence was presented by Eurocare as the Authority's adjudication. Even the advertisers' defence was edited and quoted selectively.

It is standard ASA practice to state the complaint, set out the advertisers' response and give the Authority's adjudication. To quote selectively significantly misrepresents the situation.

The full adjudication, which I attach, makes clear that the Authority accepted that the advertisement did not suggest that Bordeaux wine enhanced sexual capability. However, the Authority warned the advertisers against implying that wine was main the reason for the success of a personal relationship.

The decision was informed by research supplied by the advertisers showing that subjects had not inferred a message of sexual enhancement - a fact that was reported in the full adjudication but is absent from the Eurocare presentation.

Abbot Ale

In the case of Abbot Ale, the advertisement was presented together with an image of apparent sexual bondage that is not part of the advertisement (or any advertisement, as far as the ASA is aware). This image is unexplained and to any participants at the November meeting it must have appeared that the two were in some way connected or even both part of

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the advertisement complained about. The image in the ad itself has nothing to do with perversion and it is irresponsible to suggest that it does.

The Eurocare presentation also failed to mention the grounds for complaint. There were two elements to this. The ASA received five complaints that the ad was offensive; but the Authority itself challenged whether the advertisement implied a link between alcohol consumption and sexual success.

On the first point, the Authority considered that the advertisement was unlikely to cause serious or widespread offence given the target audience of the publications it appeared in. The Times said their audience was biased towards young, upmarket male readers and, although ambiguous, the advertisement was neither distasteful nor indecent. They noted they had not received any complaints about the advertisement. The Telegraph believed the advertisement was saucy but was unlikely to cause serious or widespread offence, particularly to those in the target audience.

On the second point, the Authority also concluded, following investigation, that the advertisement, despite the image suggesting sexual passion, did not imply a link between alcohol consumption and sexual success. The end line 'brewed longer for a distinctive, full flavour' indicates the unique selling point that Abbott Ale is fermented for seven days. Hence the opening line, 'Some things get better given longer'. The claim in the ad is linked to the brewing process, not the effect of alcohol consumption.

I enclose copies of the full adjudications in each case. You may not agree with the Authority's decisions, but there is no excuse for misrepresentation since the ASA's adjudications are all published on our website, www.asa.org.uk.

It is also not helpful to omit to explain the context in which the Authority operates. The relevant clause of the British Codes of Advertising and Sales Promotion against which both ads should be judged is:

46.7 Advertisements should not suggest that any alcoholic drink can enhance mental, physical or sexual capabilities, popularity, attractiveness, masculinity, femininity or sporting achievements.

The Authority was ruling on complaints it had received. The Authority can and does add its own challenges where the Codes appear to have been breached and, in the case of the Abbot Ale, this is precisely what we did.

Appendix 2

By picking just two of the alcohol ads on which the ASA has ruled in the past three years, Eurocare presents a highly misleading overall picture.

It should be noted that only a very small proportion of complaints received by the ASA involve alcohol advertisements (about 1.2% in 2001).

The table below gives details of the level of complaints in 2000 and 2001.

| | 2000 | 2001 |
|--|--------|--------|
| Total number of complaints received by the ASA | 12,261 | 12,600 |
| Total number of alcohol complaints | 149 | 154 |
| Total number of ads complained about | 8,457 | 9,945 |
| Total number of alcohol ads complained about | 61 | 55 |
| Total number of complaints upheld | 2,439 | 1,670 |
| Total number of complaints about alcohol upheld | 10 | 55 |
| Total number of alcohol ads with complaints upheld | 4 | 6 |

In addition to complaints handling, the ASA/CAP system operates 'upstream' in an effort to minimise the number of advertisements that breach the Codes. The Committee of Advertising Practice (CAP) Copy Advice service, which offers free pre-publication advice to advertisers, dealt with 87 enquiries about alcohol advertising in 2000, increasing to 100 in 2001.

In 1996 the CAP Compliance team undertook a survey of alcohol advertisements. Ninety-eight per cent of alcohol advertisements were found to comply with the Codes. A copy of the research is available on the ASA web site (http://www.asa.org.uk/research/documents/upi_3.pdf).

Compliance rates more generally are encouraging. In the most recent survey of poster advertising, covering all product sectors, 99% of ads were found to comply with the Codes. The full research can be found online at http://www.asa.org.uk/research/documents/upi_14.pdf. Similarly high compliance rates have been found for press advertisements (96%) and direct mail (91 %).

It should be noted that the majority of advertisers who breach the Codes either amend or withdraw their advertisements in accordance with an ASA ruling without further prompting. However, a number of sanctions exist to ensure compliance.

Chief among these is the refusal of media space to advertisers who breach the Codes. CAP members include all of the main media trade bodies (for outdoor, print, cinema and direct marketing), and an Ad Alert can be issued warning media owners against taking an advertisement found in breach of the Codes.

Trading privileges may also be withdrawn. This is particularly effective in the case of direct mail, which relies on Mailsort contracts with Royal Mail in order to be cost effective. Royal Mail is a member of CAP and may be asked to withdraw a Mailsort contract from a company found to breach the Codes.

Since 1999 CAP has been able to require advertisers whose posters have been judged by the ASA to breach the social responsibility or taste and decency clauses of the Codes to have subsequent poster advertising prevetted by CAP for a two-year period. Three alcohol advertisers have been subject to pre-vetting: Whitbread Beer (September 1999-2001), UDV (January 2000-2002) and Halewood (July 2000-2002).

In addition to the above, all ASA adjudications are published on our website (www.asa.org.uk). This can and does generate adverse publicity for advertisers who have breached the Codes. The latest adjudications are published in this way each Wednesday morning.

All this is achieved at no cost to the taxpayer. The system is funded by a levy on display advertising, collected by the Advertising Standards Board of Finance (Asbof). The separation of funding collection from complaints handling helps to ensure that the independent judgement of the ASA is not compromised.

Our Council devoted time at its December meeting to review our record in this area, and to decide whether we were being too liberal in our interpretation of the Codes. Council concluded that the ASA was getting things right most of the time, although the Executive was asked to add more Authority challenges to complaints about alcohol advertisements that might otherwise be judged simply on taste grounds.

Bordeaux Wine Bureau

Agency: MPMG

Magazine

Industry complaint from: London

Complaint:

Alcohol Concern objected to a magazine advertisement for Bordeaux wines. The advertisement showed a woman, wearing red underwear, leaning over a man, who was naked from the waist up, as if to kiss him. The words "red", "velvet", "candlelight", "blushes", "deep", "lingering", "lip-staining" and "kisses" were superimposed on a glass of red wine and the advertisement stated "Let the Mood Take You to Bordeaux". The complainants objected that the advertisement linked wine drinking with sexual activity and breached the Codes.

(Ed 9: 46.7)

Adjudication: Complaint not upheld

The advertisers explained that the advertisement was one of the first two in a campaign that was intended to feature several different existing personal relationships, not sexual conquests. They believed the advertisement depicted a couple, in an established relationship, sharing a moment of intimacy in a private setting. They refuted the suggestion that the advertisement depicted a one-off sexual encounter or enhanced sexual prowess and explained they had deliberately sought to avoid that impression by photographing the couple head-to-head, not body-to-body, and clothing the models in underwear; the man's shorts had been cropped out of the photograph in the final version of the advertisement. The advertisers claimed that the subjects of qualitative research had not inferred a message of sexual enhancement. The Authority accepted that the advertisement did not suggest that Bordeaux wine enhanced sexual capability but warned the advertisers against implying that wine was the main reason for the success of a personal relationship.

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Greene King Brewing and Brands

Agency: McCann Erickson

Publish Date: 10 July 2002 Media: National press

Sector: Alcohol

Public complaints from: Suffolk (.x3), Wiltshire and Lancashire

Complaint :

Objection to an advertisement that appeared in the Telegraph Magazine and the Times Magazine, headlined "Some things get better given longer." It pictured a woman in bed with one hand gripping the sheet and stated "Brewed longer for a distinctive flavour."

1. The complainants objected that the advertisement was offensive.
2. The Authority challenged whether the advertisement implied a link between alcohol and sexual success.

Codes Section: (Ed 10: 5.1; 46.7)

Adjudication :

1. Complaint not upheld

The advertisers believed the advertisement was stylish, tasteful and respectful. They said the woman was covered with a sheet and was not being exploited in either a rational or emotional sense and there was no overt or explicit suggestion of sexual activity. The advertisers said the advertisements mainly appeared in broadsheet newspapers and men's magazines and they believed it would not cause offence. The Times said their audience was biased towards young, upmarket male readers and, although ambiguous, the advertisement was neither distasteful nor indecent. They noted they had not received any complaints about the advertisement. The Telegraph believed the advertisement was saucy but was unlikely to cause serious or widespread offence, particularly to those in the target audience. The Authority considered that the advertisement was unlikely to cause serious or widespread offence.

2. Not upheld

The advertisers said their intention was not to infer that drinking Abbot Ale would improve readers' sex life but to advertise the product's unique selling point that Abbot Ale is fermented for seven days; they believed the end line 'brewed longer for a distinctive, full flavour encapsulated that proposition. They said the campaign merely drew analogies with things that benefited by being given more time. The Authority noted that, before publication, the advertisers had sought advice from the Committee of Advertising Practice Copy Advice team on a similar advertisement and that they had been advised that the approach might breach the Codes. The Authority considered, however, that, although by inference, the advertisement drew parallels with sex it did not imply a link between alcohol and sexual success.

Rutherford to Graham 20th January 2003

Thank you for your letter of the 13th January. I have had a meeting with my colleagues who were responsible for the presentation and discussed your letter of complaint. We certainly do not accept your view that Eurocare's presentation at the Alcohol and Health Working Group on 26th November 2002 "seriously misrepresented" your Authority's adjudication nor was there even any "misrepresentation". It is a matter of fact that your adjudication rejected the complaints.

We were not unfair in our presentation. The meeting, prior to our presentation, included six presentations from the drinks industry. If we had had the time to give a lengthy presentation that included the full text of your adjudication, it would have shown even greater incredulity over your decision making and consequent lack of credibility.

Your reply to us on Bordeaux Wine is a clear example of your lack of serious intent to follow the codes both in letter and spirit.

With regard to Abbot Ale, you besmirch our integrity by implying that we manufactured the images for our presentation. In fact they were taken from the website of "The Publican" and both images form part of a wider campaign for Green King IPA including a TV advertisement which features a woman tied to a bed. Please note that ITV carried this advertisement in Autumn 2002.

We cannot be held to task or charged with misrepresentation when our complaint is that your procedures to police and rigorously enforce lacks real concern and commitment to the observing of your own codes. No matter what the nature of the complaint might be, it is your responsibility to see that the advertisement complies with your code. Lack of a statutory code and enforcement by independent panels leads inevitably to weak and ineffective control by your industry. This is the point we were making. The present self regulatory codes smack of mere posturing to give Governments the impression that you have taken on board the concerns of those who work in public health and wish to protect the well being of our young.

Our position is quite clear. We consider that the self-regulatory codes devised by your industry do not work and are circumvented.

We make no apology and your reaction to our presentation adds to our overall concern.

Since you have copied your correspondence with us to the Commission, we consider the issue warrants a full and frank public debate. As a contribution to this I shall be pleased to publish your correspondence and our reply in the next issue of The Globe.

Graham to Rutherford 27 January 2003

Thank you for your letter of 20 January.

I note that rather than meet the ASA, either prior to your presentation to the Commission or now, you prefer to publicise our correspondence. Very well. I hope you will include in full my letter of 13 January, including both appendices and both adjudications, and also this letter - so that your readers may decide for themselves whether or not the ASA acts responsibly.

Your Luxembourg audience must have been as mystified as I was by the extraordinary image you presented alongside the ASA's Abbot Ale adjudication. I note from your explanation that this was a still frame from a completely different advertisement, for a different brand, in a medium the ASA does not even regulate. I wonder how many of your Luxembourg audience will have known any of that, or how they were supposed to judge what is clearly a humorous ad from a single still.

I summarised in Appendix 2 of my earlier letter the steps the ASA is taking to enforce the Codes in respect of non-broadcast advertising in the UK. If you feel that we are missing challenges that ought to be made, may I invite Eurocare to use the ASA complaints system? The service is free to the complainant and easily accessed via our website www.asa.org.uk. The site also contains much useful background information, about both the ASA and the rules on alcohol advertising - and is I would suggest, a better source of information about our adjudications than www.thepublican.com on which you apparently rely.

Rutherford to Graham 12th February 2003

Thank you for your letter of the 27th January. In response to your comment that "rather than meet the ASA ...you prefer to publicise our correspondence", may I point out that my attitude to meet with you to discuss your association's supervision, interpretation and adjudication of self-regulatory codes arises from the outcome of former discussions.

If you look up the report of the proceedings of your Association's seminar at Peterhouse, Cambridge in September 1981*, I raised the issue of two advertisements which I had, on behalf of the National Council on Alcoholism, complained of. One was to the ASA and the other to the IBA. I pointed out that whilst I welcomed the then "voluntary codes of practice" I questioned whether the spirit of such codes was being implemented and that certain adjudications questioned their credibility (pages 38-42).

At your Association's subsequent seminar in July 1991*, I again demonstrated my suspicions of self regulation and preferred a statutory code (page 28). During the same seminar Dr Craplet, Chairman of Eurocare, commented that in France due to the fact that self-regulatory codes were not respected, statutory codes had had to be introduced. After ten years there had been no observable adherence to the letter and spirit of your codes.

Again, more than ten years later, Alcohol Concern's recent experience over the Beaujolais advertisement revealed that the supervision of the code was, to say the least, lax and gave the appearance of mere gesturing.

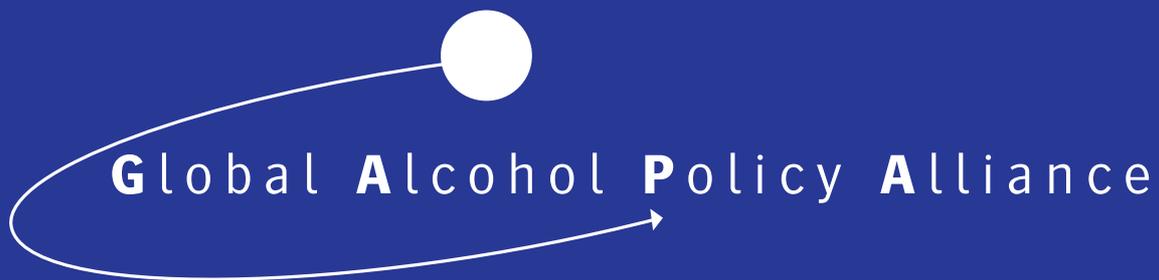
Over the years self-regulation has not made either advertising agencies or the drinks industry more socially responsible in their product marketing. Indeed, alcohol advertising practice is out of control coinciding with a growing youth alcohol problem.

It is no doubt for these reasons that the WHO, EU Council of Health Ministers and the Commission have alerted the industry to their concern.

Although Commissioner Byrne has stated that the ball is in the drink industry's court (WHO Ministerial Conference, Stockholm 2001), we consider it our duty to continue to point out the failure of self-regulation and the need for a statutory code. Experience over twenty years reveals the industry's failure to respond effectively. Since we feel our views and concerns have not been taken seriously, it would appear to be a waste of effort and time to have a one to one discussion with you. We need governmental action.

I consider that my letter brings our correspondence to a close. Publication of the issue in the Globe is in the public interest.

* *These were, in fact, Advertising Association seminars*



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