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Alcohol Concern's Quarterly Information and Research Bulletin

Advertising alcohol

Introduction

The advertising of alcoholic drinks is an important and contentious issue, which provokes much debate between the drinks industry on one side and organisations with public health concerns on the other. This factsheet looks at the question of whether our drinking habits are influenced by advertising, examines the regulations governing alcohol advertising and outlines the various rules that govern alcohol advertising and how they have been breached.

For the purposes of this factsheet, advertising includes print, television and internet advertising as well as the packaging and naming of alcoholic drinks. The factsheet does not cover the portrayal of alcohol on television programmes such as soap operas and television drama.

The industry and advertising

In 1999 the UK market for alcoholic drinks was valued at £32.5 billion.¹ As a result of a series of take-overs and mergers, the industry has become dominated by a small number of multinational companies, each with its own portfolios of key brands. Concentrated economic power means that these companies have the resources to undertake market research and develop new products and new marketing strategies targeted at different groups of consumers.

In this context millions of pounds are spent on alcohol advertising each year. In 2001, £181.3 million pounds was spent on alcohol advertising, in comparison with just £75.9 million on soft drinks. The largest proportion was spent on advertising beer, £42.7 million, with £18.1 million spent on spirits and £8.3 million on wine.²

Does advertising influence drinking habits?

Much of the debate surrounding alcohol advertising is concerned with the question of whether advertising encourages people to start and/or continue drinking or drink to excess. The debate has tended to focus on young people as a vulnerable group, being more susceptible to advertising messages and more likely to experience harm as a result of risky drinking behaviour.

Advertising is traditionally viewed as a manipulative communication media stimulating demand for products and services within the population. In relation to alcohol

advertising it is argued that the drinks industry in the UK, would not spend nearly £200 million a year if it did not expect increased sales and profits as a result.

In contrast the industry prefers to present consumers as independent rational decision makers with needs and desires that can be met through the goods/services they choose to purchase.

Representatives of the drinks industry describe advertising as 'weapon in the war between brands for market share'³ rather than a way to increase the size of the market. In their 'Submission to The Department of Health on a Strategy to Combat Alcohol Misuse'⁴ the Brewers and Licensed Retailers Association argue that *"advertising is a key means by which suppliers make a consumer aware of their products, product innovation, price changes etc. Advertising is an essential element of competition between producers (and other suppliers) and is vital to an efficient market. Companies advertise to increase market share of their products and to protect their brand's market share against brand switching."*

The industry asserts that there is a lack of conclusive evidence to suggest that alcohol advertising affects total consumption in a country.

Existing evidence

There is a considerable body of work from international sources such as government reports, academic journals, drinks industry analyses and papers from interested organisations looking at the role of advertising in alcohol consumption. However, only two main findings emerge:

- Econometric studies to estimate the effect of advertising on total alcohol consumption have found no association between total spending on advertising and levels of consumption in the population.⁵

However, many commentators have argued that these studies are flawed. Saffer in his 1996 review of this issue argues that studies using national data on annual alcohol advertising expenditure at a high level with minimal year-on-year change are unlikely to find change in total consumption because according to the economic theory, continued addition of advertising messages will result in smaller increases in consumption. Instead he points to local studies in North America that show that substantial increases in advertising alcohol and cigarettes did result in significant increases in consumption.⁶ A recent work by Saffer drawing on data from 20 OECD countries, including the UK, supercedes earlier studies and shows that

total expenditure on alcohol advertising is linked to higher consumption and that advertising bans could result in significant reductions in consumption.⁷ This is an area where more research is needed to produce firm evidence of the effects of advertising at a national level.

- Behavioural studies on the effects of advertising on the individual show that alcohol advertising has a negative effect on young people.

UK Studies undertaken at the University of Strathclyde of attitudes to alcohol advertising among 10-17-year-olds indicate that:

- 88% of 10-13-year olds and 96% of 14-17-year olds were aware of alcohol advertising and 76% of these (across the whole age range) could identify 3 or more adverts when the brand name was masked.
- Young people, even 10-12-year olds, were adept at interpreting the messages, images and targeting of alcohol advertisements, in the same way as adults.
- 86% enjoyed alcohol advertisements, particularly when shown examples and rated them as being funny, lively, stylish with good music. Proportionately more drinkers than non-drinkers had seen alcohol advertisements and appreciated them.⁸

The authors argue:

*"In essence the more aware, familiar and appreciative young people are of alcohol the more likely they are to drink both now and in the future"*⁹

These findings confirm individual results from a range of international studies on the effects of advertising on the smoking and drinking habits of young people. Further work is currently being undertaken by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) in the US and various public research bodies in New Zealand looking at the effects of alcohol advertising on people's perceptions and drinking behaviour.¹⁰ Again the majority of these projects focus on young people's drinking and it would be helpful to consider findings from studies into the effect of advertising on established drinkers for comparison.

Marketing

Advertising is only one element in overall drinks promotion. Advertising is traditionally seen as a one-way communication between the producer and the consumer. However, the use of sophisticated marketing research techniques over the last decade has led to marketing innovations that are more sensitive to cultural trends within the UK and are based more on a two-way communication that takes account of consumer requirements; particularly in relation to young people and women. Key areas that deserve closer scrutiny including:

- development of new designer drinks such as alcopops, white ciders and alcoholic energy drinks
- increase in the strength of alcohol products in competition with the illicit psychoactive drug market

- use of sophisticated advertising and branding techniques to establish products within the emerging youth culture
- opening of new types of drinking venues such as café bars, theme pubs and club bars designed specifically for the youth sector.¹¹

Further areas for consideration include:

- Looking at the extent to which the alcohol industry is making use of new media technology such as the internet and mobile phone networks in interactive 'viral marketing' campaigns¹²
- Examining the effect of cut-price drink promotions on drink behaviour
- Researching the cumulative influence of alcohol sponsorship in sport, music, film and television which leads to an association between a particular brand of drink and a sports team or popular television programme. There has been a significant increase in the amount of money the drinks industry devotes to sponsorship over the last decade.

The World Health Organisation estimates that in the US, expenditure on indirect drinks promotions such as sponsorship, product tie-ins and placements and special promotions was three times as high as spending on direct advertising in 1993 which was a reversal of the situation in the previous decade. By extrapolating from these US figures, it is possible to place a current value of £600-£800 million per annum on current UK drinks marketing.¹³ This shift in alcohol marketing expenditure confirms the need to widen the remit of alcohol marketing research.

How is alcohol advertising regulated?

The UK currently relies upon a combination of legislation and self-regulation to control the promotion of alcoholic drinks. There are voluntary restrictions governing television and radio advertising (the ITC Code and the Radio Authority Code, above) and poster and magazine advertising of alcohol-related products are governed by voluntary agreement under the British Code of Advertising and Sales Promotion, enforced by the Advertising Standards Authority. Finally there is the self-regulatory Portman Group Code which covers the packaging and naming of drinks.

The ITC operates partly in response to public complaints about advertisements and also by pre-vetting some television advertising, with a group of experts assessing whether an advertisement complies with its rules. The Radio Authority regulates the content of radio programmes (including advertisements) principally by acting upon complaints received from listeners. If an advertising complaint is upheld, the authority can require that the commercial concerned be withdrawn immediately or amended.

The ASA covers all other media and operates purely in response to public complaints with its own staff making judgements on the validity of the complaints. Complaints about packaging that may go against the Portman Group Code are assessed by an Independent Complaints Panel, but the Panel

has no power to enforce their decision. They can only make recommendations.

The Food Safety Act 1990 controls the quality, standard and claims made for food, as well as its description, advertising and labelling. ¹⁴ Trading Standards officers have some powers to enforce some aspects of this law including ensuring that alcoholic drinks declare their strength (% ABV).

The Portman Group was, according to their website ¹⁵, 'set up in 1989 by the UK's leading drinks producers, which together supply the majority of the alcohol sold in the UK.' The Portman Group 'speaks for these companies on social aspects of alcohol', 'encourages responsible marketing practices through our Code of Practice' and believes that 'effective alcohol policy balances legislation, self-regulation and personal responsibility.'

The Group has specific objectives to promote sensible drinking, reduce alcohol-related harm and increase understanding of alcohol misuse. In this context it has undertaken a series of initiatives principally aimed at young people including:

- the introduction of a proof-of-age card scheme to help licensees identify under-age drinkers
- a voluntary ban on the use of characters or imagery on alcoholic soft drink containers that could appeal to under-18s and on anti social shapes and names suggesting aggression, violence, danger or sexual success
- a directive that alcoholic soft drinks are displayed in alcohol sections only in licensed outlets and supermarkets
- a requirement for all new drinks products in excess of .5% ABV to be submitted for pre-launch clearance.

There is no statutory requirement for retailers to follow any of this advice. ¹⁶

What are the rules that govern alcohol advertising?

There are a number of sets of rules that govern alcohol advertising, depending on the media in question. These are:

- The Advertising Standards Authority (ASA) Code ¹⁷ which covers non-broadcast (i.e. print) advertising
- The Portman Group Code ¹⁸ which covers the naming, packaging and marketing of alcoholic drinks, including regulation of websites.
- The ITC Code ¹⁹ which regulates television adverts
- Radio Authority Advertising and Sponsorship Code (20), which covers adverts on local and national radio

The above rules are based on a number of core principles and prohibit any advertising which:

- Targets young people under the age of 18
 - markets alcoholic drinks to under-18s,
 - incorporates images of people who are, or look as if they are, under twenty-five years of age

- Implies that alcohol can make you more popular, successful, attractive etc.

- suggests that alcohol is essential to social success, popularity and acceptance
- suggests that drinking can contribute to sexual success or attractiveness
- implies that the successful outcome of a social occasion is dependent on the consumption of alcohol
- suggests that drinking can overcome boredom, loneliness or other problems or that drinking can bring about a change in mood
- suggests that drinking can enhance mental, physical or sexual capabilities
- implies that people who drink alcohol are brave, tough or daring

- Encourages irresponsible drinking habits

- portrays alcohol being drunk in situations where this may be unsafe - e.g. driving, swimming or using machinery
- shows alcohol being drunk in a work environment
- links alcohol with aggressive, dangerous, irresponsible or anti-social behaviour
- encourages excessive or binge drinking
- suggests that drinking is an essential part of daily routine

- Suggests any association with, acceptance of, or allusion to illicit drugs

- promotes the alcoholic strength of a drink, (although the alcoholic nature of the drink must be communicated in its packaging)

These codes have changed in content and tone over the last few years, reflecting the changing advertising media (especially websites and text messaging) and the new products coming onto the market. The Portman Group Code for example was revised in 2000 because of concerns regarding the sudden development of alcoholic 'energy' or 'stimulation' drinks and the way they were being advertised.

The scope of the Portman Group Code was extended on 1st March 2003 to cover a broad range of promotional devices, including sponsorship, sampling, websites and press releases.

The easiest way to access full versions of the four codes is via the organisations' websites (see below). Addresses of these organisations are given in the How do you make a complaint? section of this article

- The 11th Edition of the British Code of Advertising, Sales Promotion and Direct Marketing is available from the ASA website at www.asa.org.uk.
- The Portman Group Code can also be found on their website at www.portmangroup.co.uk

- The ITC Advertising Standards Code is at www.itc.org.uk
- The Radio Authority Advertising and Sponsorship Code is also on the internet at www.radioauthority.org.uk/index.html

The Office of Communications (OFCOM) is likely to be operational by the end of 2003 and will have regulatory powers covering broadcasting and telecommunications networks and the services delivered on them. OFCOM will also have responsibility for the regulation of the advertising of alcoholic products.

How are the rules broken?

Despite the strict rules surrounding alcohol advertising, the Portman Group and the ASA, in particular, receive complaints about packaging and advertising on a regular basis. In 2001, the Portman Group received 8 complaints (4 of which were upheld) about the naming, packaging and marketing of alcoholic drinks²¹, while in the same year the Advertising Standards Authority received 179 complaints²²

This section of the factsheet looks at four different products, explains what the complaint was about, what the judgement on the product was and the reason for it.

Roxxoff

Roxxoff, a fruit-flavoured vodka-based product dubbed a 'Viagra pop' by campaigners, fell foul of the Portman Group's Code of Practice in 2003.

The complaint was made by a number of organisations including Alcohol Focus Scotland and The British Beer & Pub Association and alleged that the manufacturers' claim that Roxxoff will enhance the libido contravenes the code of practice because the drink, its packaging and any promotional material or activity should not in any direct or indirect way suggest any association with sexual success, or suggest that the product can enhance mental or physical capabilities.

The Complaints Panel upheld complaints against Roxxoff, considering that its name and its website suggested an association with sexual success, in contravention of the Code. The Panel also considered the brand name 'Roxxoff' to be a play on the well-known phrase "to get your rocks off", which the Panel felt had clear sexual connotations. The decision means that retailers will be told that they should not stock Roxxoff, and changes must be made to its website.

The website boasted that the product contained "herbal libido boosters" and of the possibility of creating a "race of randy super beings". It made a number of claims associating the drink with sexual success.

The Panel considered that several claims on the website including: "...the Chinese herbal ingredients interact with specific parts of the body - such as the kidneys and liver- to stimulate blood flow"; and "The stimulant effect of the vodka sets the pulses racing while 'RF 10' (the cocktail of herbal libido boosters) goes to work on the blood stream" suggested that the product could enhance mental or physical capabilities. Hence, the Panel found both the website and the product as presented on the website in breach of the Code. The company agreed to make certain changes to the website following the Panel's decision²³ (Quoted in Straight Talk - The Alcohol Concern Quarterly Magazine, vol18, no3, 2003)

WKD

In another ruling in 2003, the Panel upheld complaints made by Stirling Substance Forum against the website www.wkd.co.uk which promotes the vodka-based drink WKD.

The Forum claimed that the website is aimed at encouraging a tolerance of the red-blooded male agenda, promotes a lad-culture and a binge-drinking image. The Forum felt that it is irresponsible to promote a mental acceptance that alcohol consumption leads to sexual and social success and popularity, and believe that the pole dancing section and the breast matching game are prime examples of this.

The Panel ruled that the combined effect of elements of the site, including the interactive breast matching game, a section where users could put together a short film using video clips of a pole dancer 'WKD Wendy' and several electronic postcards including one featuring three pairs of intertwined feet and the caption "Me, your mum and your sister!" and another featuring a picture of a pole dancer with the caption "Baby, you can grease my pole any time you like", was to associate the product with sexual success. The Panel also felt that because of these elements, the WKD site would have particular appeal to under-18s.

The Panel raised no objection to the producer seeking to promote its brand in a cheeky and irreverent way. It considered, however, that the producer should take greater care to ensure that, in doing so, it did not adopt such an overtly sexual and/or puerile approach that causes the website

The homepage of the Roxxoff website



either to associate the product with sexual success or to appeal to under 18s.

However, the Panel disagreed with the complainant that the site suggested any association with bravado, or with violent, aggressive or anti-social behaviour. Nor did it believe that the site suggested that consumption of the drink could lead to social success or popularity. Finally, the Panel also did not uphold the complaint that the site encouraged illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving.

The company agreed to make certain changes to the website following the Panel's decision.²³ (Quoted in Straight Talk - The Alcohol Concern Quarterly Magazine, vol18, no3, 2003)

Dooleys

However, some complaints are not upheld. In 2002, the ASA did not uphold a complaint from Alcohol Concern about a magazine advert for Dooleys Liqueur. The original advert headed 'WITH ICE, WITH COLA, WITH FEELING' pictured a woman with her mouth open, eyes shut and head tilted backwards having her chin licked by a man. Alcohol Concern felt that the advertisement suggested that the drink could enhance sexual success and was the main reason for the success of a personal relationship - both of which break the ASA code. United Brands who produce the drink argued that the advert did not suggest that the drink could enhance sexual success or was the main reason for the success of a personal relationship, claiming that the drink was an accompaniment to the relationship. The ASA agreed with United Brands, considering the image to be playful, not overtly sexual and therefore not linking alcohol with sex.²⁴ (Quoted in Straight Talk - The Alcohol Concern Quarterly Magazine, vol17, no3, 2002)

Shag

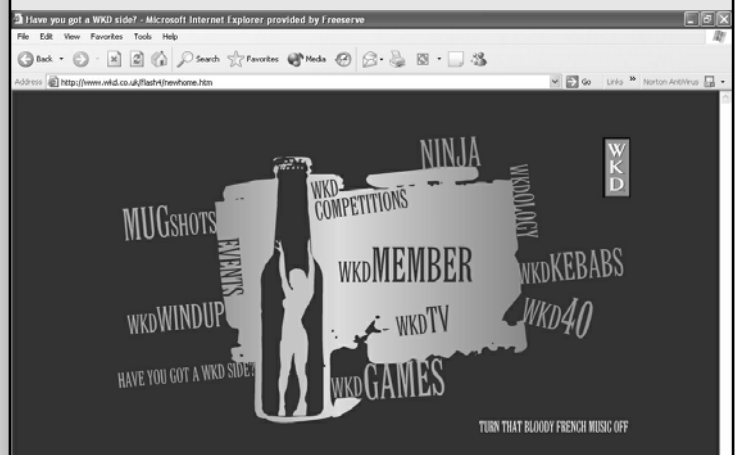
An advertising campaign for SHAG Premium Lager led to Alcohol Focus Scotland also making a complaint to the ASA. Alcohol Focus Scotland felt that the advertisement showing a bottle of SHAG being advertised in front of a number of 'saucy seaside postcard' style beer mats (see image) was offensive. The advertisers of the product argued that they were simply using traditional postcard humour, a view that the ASA agreed with, saying that in the context of British postcard humour, the innuendo based around the product name did not imply increased sexual success or performance.²⁵ (Quoted in Straight Talk - The Alcohol Concern Quarterly Magazine, vol 16, no4, 2001)

How do you make a complaint?

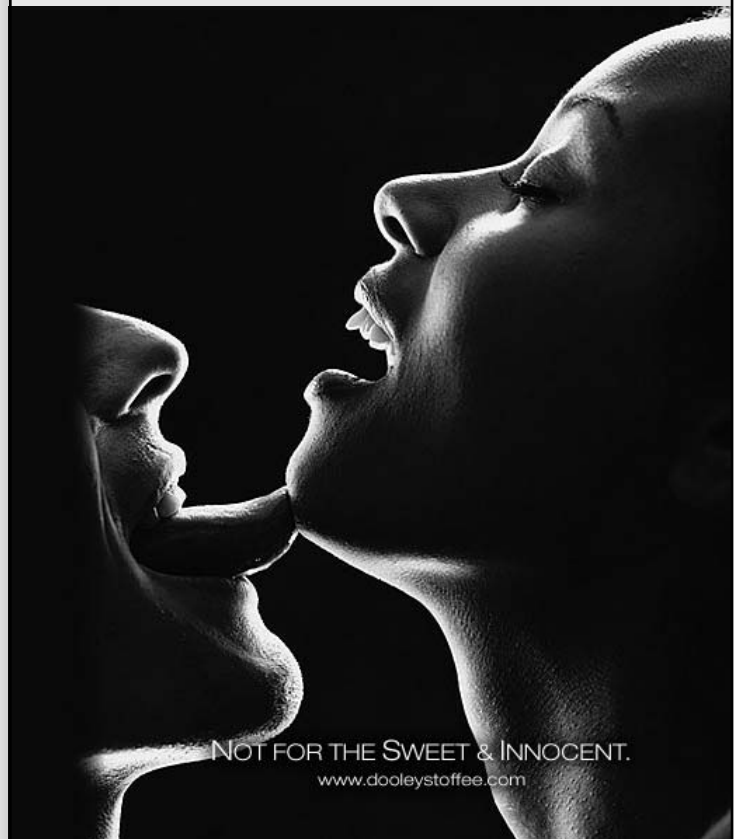
If you wish to make a complaint about the advertising or packaging of any alcoholic drink, this section gives details of how to do so.

If you feel that the products packaging or promotional material breaks the Portman Group Code then complaints should be sent in writing to The

WKD have had to make several changes to their website following complaints



The ASA disagreed with complaints about this advertisement, and considered that this image was "playful and not overtly sexual"



**“Traditional postcard humour”
from the producers of Shag lager**



A bottle of Shag lager



Complaints Officer, The Portman Group, 7 - 10 Chandos Street, Cavendish Square, London W1G 9DQ.

If possible, evidence to support the complaint should be enclosed, such as a product sample or details of the outlet or activities involved.

The ITC will accept complaints (but not comments or critiques) about television advertisements or sponsorship credits which you have seen, but not those which you have simply read about or heard about, provided they were transmitted on a service which they regulate. To make such a complaint, go to the ITC website at www.itc.org.uk/how_can_we_help/ads/complaint_ads.asp or write to ITC Viewer Relations Unit, 33 Foley Street, London W1W 7TL.

You will need to say on what channel the advertisement appeared on, the date and time you saw the advertisement, describe its contents and give details of your complaint. Your contact details will be required but the ITC complies with the Data Protection Act 1998, so they will only use any personal data you provide for the purpose of dealing with your complaint.

Radio stations must not broadcast material which is unfair, inaccurate, harmful, or likely to cause offence, or which breaches the advertising code. The Authority regulates this principally by acting upon complaints received from listeners. To make a complaint complete the complaint form on the Radio Authority website at www.radioauthority.org.uk/index.html. Or write to Radio Authority, Holbrook House, 14 Great Queen Street, Holborn, London WC2B 5DG.

You will need to be able to provide the following information: the name of the station that broadcast the advertisement, the date and time when the advertisement was broadcast and full details of your complaint.

If you wish to complain about a print advertisement, the ASA will deal with your complaint. You can fill in their on-line complaints form on their website at www.asa.org.uk/index.asp. Or you can write to: The Advertising Standards Authority, 2 Torrington Place, London WC1E 7HW.

Alcohol Concern does make complaints about the products of which we become aware, but we need your help. Complaints from individuals, alcohol services and anyone concerned with this issue are vital if advertisers and drinks manufacturers are to be held to account.

Alcohol Concern's position on advertising

Alcohol Concern would like to see an independent regulatory body responsible for all aspects of alcohol marketing. It believes that there are better, more independent, ways of regulating the marketing of drinks than leaving it to the people whose profits rely on selling as much alcohol as possible.

Alcohol Concern also believes that taking a more responsible approach to advertising alcohol means at the very least staying within the spirit rather than just the letter of the current codes and needs to discourage actively irresponsible drinking

In its response to the National Alcohol Harm Reduction Strategy Consultation Document ²⁶, Alcohol Concern set out its position on the advertising of alcoholic products:

'Advertisers should play a role in ensuring that promotion of alcoholic drinks is, as far as is possible given their objectives, not positively harmful. At the very least there needs to be a reevaluation of the advertising codes, if only to restate the underlying spirit and determine whether further changes to the letter are required.

The alcohol industry must take responsibility for its role in commissioning advertising and agree a set of values and guidelines that they will ask advertising agencies to work within.'

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