

Alcohol advertising policies in other countries

NZ Drug Foundation
May 2006

International policy

World Health Organization

In its 2004 *Global Status Report: Alcohol policy*, the World Health Organization presented survey information on regulation and self-regulation of alcohol advertising and sponsorship in its member countries. While legislative restrictions are common, few countries prohibit all forms of alcohol advertising.¹ Some 23% to 31% of the 117 responding countries have implemented partial restrictions, either by medium – most usually restricting alcohol advertising on television and radio – and/or by beverage type – most usually restricting advertising of distilled spirits. The mix ranges from 44% restricting beer ads on national radio to 60% restricting spirits ads on national television. Around 15% rely on industry voluntary codes alone, which focus on ad content. A significant number of countries have no restrictions or rules on alcohol advertising.

An earlier survey of WHO European Region countries showed the use of voluntary codes is mainly a western European phenomenon. Out of 37 countries, 29 prohibited or legally restrict spirits advertising on television, 28 restricted wine advertising and 23 restricted beer advertising on television, with Nordic countries having mainly complete bans on alcohol advertising in all media.²

In 2002, WHO hosted a meeting in Valencia on the marketing and promotion of alcohol to young people. This brought together 50 people from 22 countries with technical expertise in marketing, public health and community, national and international level responses. Participants reviewed examples of alcohol marketing to young people, presented by young people and other delegates from Asia, Africa, Europe, Oceania and the Americas. These examples demonstrated that young people across the globe live in environments characterized by aggressive and ubiquitous efforts encouraging them to initiate drinking and to drink heavily. The Declaration from the conference recommended ‘that the WHO assist countries in taking all legislative or regulatory steps necessary to ensure that young people are not exposed to promotional messages about alcohol’.³

In December 2004, a report from the WHO secretariat to the Executive Board on ‘Public health problems caused by alcohol’ linked consumption rates and concerns about excessive per occasion drinking to aggressive marketing and promotion aimed at young people, as well as to increased alcohol availability and social change factors.⁴ In May 2005 the World Health Assembly requested all WHO member states to develop, implement and evaluate effective strategies and programmes for reducing the negative health and social consequences of harmful use of alcohol.⁵

WHO Europe

European countries, as members of the WHO European Region and as European Union members, have collectively adopted regional alcohol policy documents that include statements on alcohol advertising. In 1995 the **WHO European Charter on Alcohol** stated that:

¹ These are countries with predominantly Muslim populations (Algeria, Egypt, Eritrea, Jordan and the Islamic Republic of Iran), Equatorial Guinea, some parts of India and Nigeria, and Iceland and Norway, where all types of alcohol advertising are banned.

² Österberg, E. and T. Karlsson, *Alcohol policies in EU member states and Norway: A collection of country reports*. 2003, European Commission: Brussels.

³ World Health Organization, Declaration of the Technical Consultation to the World Health Organization on the Marketing and Promotion of Alcohol to Young People, Valencia 7-9 May 2002.

⁴ WHO Secretariat, Problems caused by alcohol. Report to the Executive Board, 115th Session DB115/37. December 2004

⁵ World Health Assembly, Public health problems caused by harmful use of alcohol. EB115.R5. May 2005.

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

In 1998 the Health for All targets adopted by the European Region Committee included significantly reducing the adverse effects of alcohol and other drugs in all member states by 2015. In 2001 European Health Ministers at a WHO conference in Stockholm issued a **Declaration on Young People and Alcohol** that confirmed the European Charter on Alcohol and stated that, ‘as appropriate in their differing cultures and social, legal and economic environments’, member countries should set targets to:

Minimize the pressures on young people to drink, especially in relation to alcohol promotions, free distributions, advertising, sponsorship and availability, with particular emphasis on special events.⁶

In 1999 the WHO Regional Committee for Europe already endorsed a detailed **Action Plan 2000-2005** on measures to protect children and young people from exposure to alcohol promotion.⁷ Recommended actions include:

- Restrict advertising to product information and limit its appearance to adult print media, where a more comprehensive ban is not in force;
- Develop an advertising code, in areas where advertising is permitted, that avoids glorifying the effects of alcohol and using young people in alcohol advertisements;
- Develop a code of practice with the aim of preventing the promotion and advertising of alcohol products which may appeal in particular to children and young people;
- Prohibit the drinks industry from sponsoring all young people’s leisure-time activities;
- Place restrictions on sponsorship of sports by the drinks industry;
- Provide for strict regulations of events designed to promote alcohol consumption such as alcohol festivals and beer-drinking competitions.

The WHO European Regional Office is currently consulting on a **draft Framework for Alcohol Policy** to facilitate such actions. This states that each Member State has the right and obligation to provide a high level of protection to its citizens and acknowledges the need for ‘strong political will’. Principles for developing national alcohol strategies include basing policies and action on the best scientific evidence about effectiveness and cost effectiveness, being sensitive to cultural diversity, and applying the precautionary principle. As in the Stockholm Declaration, the draft Framework states that ‘public health approaches to alcohol problems need to be formulated by public health interests, without any formal or informal veto from other actors’.

WHO Western Pacific Region

The Western Pacific Regional Office in Manila is currently consulting non-government public health organisations and the alcohol industry in the Asia Pacific region on a Draft Regional Strategy to Reduce Alcohol-related Harm. One measure proposed for the draft strategy is to ‘Regulate and respond to the marketing of alcoholic beverages, including advertising and sponsoring of cultural and sports events, in particular those aimed at young people’:

Europe Union

Europe has the world’s largest alcohol consumption. A variety of national restrictions and controls and mixtures of legislation and self regulation address alcohol advertising. The European Union is still an economic union – a single market – and its ability to address alcohol issues from a public health or social policy point of view has been restricted. However, increasing attention is being given to ensuring ‘a high level of human health protection’.

A 1989 EU directive on broadcasting to ensure ‘**Television Without Frontiers**’ (TWF) (89/552/EEC 3 October 1989). Free communications across borders has a downside in that some member states’ restrictions of alcohol advertising and sponsorship have been infringed by sports coverage from

⁶ Stockholm Declaration on Alcohol & Young People, February 2001, www.euro.who.int/alcoholdrugs; Ministry of Health & Social Affairs, Sweden, Report from the WHO Ministerial Conference on Young People and Alcohol (2000/PRO/2181). August 2001.

⁷ New Zealand’s 2001 Alcohol Strategy includes a similar objective.

neighbouring countries, often deliberately.⁸ However, Article 15 of the Directive provides rules about the content of alcohol advertisements to be applied in member countries and in media where these are permitted. Rules on advertisement content set by legislation and/or voluntary codes in European countries have reflect this TWF article⁹, particularly in the 2001-2002 years. The WHO *Global Status Report: Alcohol Policy* notes, however, that there has been little enforcement of Article 15 and ‘European Union common market rules have, in fact, been used to weaken national advertising restrictions’.

The Directive on Television Without Frontiers is currently being reviewed by the European Commission. Eurocare, an advocacy umbrella organisation on alcohol issues, points out that a common European approach is far from being achieved and that where Article 15 rules are not applied through a statutory framework, they are interpreted leniently. Few complaints do not mean the system is working, they say. It is particularly difficult for complainants to prove that ads imply alcohol brings social or sexual success. Moreover, Article 15 addresses qualitative but not quantitative aspects – ‘the cumulative weight and thrust of alcohol advertising’ that is most important in influencing young people.¹⁰

In 2001 the European Council adopted a recommendation on the drinking of alcohol by children and adolescents and invited the European Commission to develop a comprehensive Community Alcohol Strategy to reduce alcohol related harm to complement national policies and WHO activities. It was to cover a range of elements, including alcohol advertising, marketing and sponsoring.¹¹

In May 2005, the European Commission released a discussion document on a **proposed Alcohol Strategy**.¹² This addresses underage drinking and alcohol advertising, with the aim of reduce the exposure of young people. It covers drink driving, underage drinking, commercial communications, consumer information, availability and price of alcohol, protection of third parties (especially families and children), early intervention, and research. On commercial communications, the aim by 2015 is to reduce exposure of young people, in particular to children and adolescents; to alcohol and to ensure that no commercial communication encourages excessive or harmful use of alcohol. Proposed actions are to:

- Analyze the experiences of regulatory and self-regulatory mechanisms in the Member States.
- Examine how the application of Article 15 of the ‘Television without Frontiers’ Directive could be more effective, for example in relation to volume, timing, context and placement of advertisements and how to increase the awareness of benefits to consumers.
- Participate in a process of co-regulation, whereby self-regulatory approaches adopted by the beverage alcohol industry are monitored by an independent body.
- Use research findings as the basis of measures to reduce commercial communication to young people.

The Commission will support member states and stakeholders by:

- Reviewing and strengthening the implementation of Article 15 of the TV Without Frontiers Directive;
- Closely monitoring trends in alcohol commercial communication and their effects on alcohol-related harm, especially on young people, and considering if more targeted actions are needed.

This last phrase has been interpreted in some advertising industry commentary as a threat of regulation. The discussion document states that the Article 15 rules of the Television without Frontiers Directive should be consistently implemented in all member states (to permitted alcohol advertising). It expresses some dissatisfaction with a current voluntary approach.

⁸ Rekva, D., *Holdninger til Salgs: Slik utnytter alkoholindustrien idretten*. 1998, Alkokutt: Oslo. (Unpublished draft in English: Rekve, D., *FOUL! Sports sponsorship and the drinks industry: The big mis[s]-match*.)

⁹ Television Without Frontiers, Article 15. Television advertising for alcohol beverages shall comply with the following criteria:

- it may not be aimed specifically at minors or, in particular, depict minors consuming these beverages;
- it shall not link the consumption of alcohol to enhanced physical performance or driving;
- it shall not create the impression that the consumption of alcohol contributes towards social or sexual success;
- it shall not claim that alcohol has therapeutic qualities or that it is a stimulant, a sedative or a means of resolving personal conflicts;
- it shall not encourage immoderate consumption of alcohol or present abstinence or moderation in a negative light;
- it shall not place emphasis on high alcoholic content as being a positive quality of the beverage.

¹⁰ Eurocare, Response to the discussion document Review of the Television without Frontiers Directive. 2003: Brussels.

¹¹ Council Conclusions of 5 June 2001 on a Community strategy to reduce alcohol-related harm (2001/C 175/01). Official Journal of the European Communities.

¹² DG Sanco, Discussion paper on the EU Strategy on Alcohol. May 2005. www.europa.eu.int

Although self-regulatory rules are being developed by the alcohol industry throughout Member States, their implementation does not apply to all producers and retailers, and their enforcement often lacks sanctions and monitoring by independent bodies.

To address this, the discussion document suggests 'co-regulation' – systems in which an independent body monitors industry self-regulation. A 2005 paper by the European Public Health Association describes co-regulation as:

...a top-down approach, conceived essentially as a means of implementation... a mechanism whereby a Community legislative act entrusts the attainment of the objectives defined by the legislative authority to parties which are recognised in the field (such as economic operators, the social partners, non-governmental organisations, or associations)...[to] enable the legislation to be adapted to the problems and sectors concerned, to reduce the legislative burden by concentrating on essential aspects and to draw on the experience of the parties concerned.¹³

In the view of many health experts, says the EPHA, codes of self-regulation tend towards under-regulation and under-enforcement and are often used for public relations purposes. The industry may use self-regulation and co-regulation to serve their own commercial interests, and codes are regularly violated 'even by the big advertisers'. Moreover:

Most self-regulatory codes are largely irrelevant to the way alcohol, tobacco and food advertising actually works. They deal with the content rather than the volume of advertising even though the attitudes and behaviour of the public are likely to be affected by the sheer number and repetition of advertisements as well as their content.

An advantage of co-regulation, in EPHA's view, is that it eases the workload of regulators. (The workload of the independent non-government organisation is not mentioned.) Disadvantages are that few co-regulation or self-regulation initiatives are monitored and enforced with sanctions. There are also questions about legitimacy and democratic accountability of non-elected regulators.

European Health and Consumer Protection Commissioner David Byrne states that 'advertising codes cannot replace the need for a legislative framework'. If properly enforced, codes may have an important role in complementing legislation, in his view, but should not play a substituting or independent role apart from legislation. At the Stockholm conference on Alcohol & Young People, the Commissioner had already laid down a strong challenge to the industries concerned.

To support policy in this area, the European Commission is preparing a study on health, social and economic costs of alcohol-related problems in the EU and in 2006 plans a publication outlining EU policy in terms of alcohol sales, advertising and usage.¹⁴ This work reflects European governments' interest in tightening up regulation of alcohol advertising, whether by legislation or industry self-regulation. Current debate with industry and other stakeholders is on how this can be done effectively.

¹³ European Public Health Alliance, *An introduction to co-regulation and self-regulation in the EU: Briefing to members*. 2005, EPHA.

¹⁴ David Byrne, Advertising and Commercial Communication World Federation of Advertisers 50th Anniversary Congress Brussels, 28 October 2003, <http://europa.eu.int>, European Commission press releases; Swedish Ministry of Health & Social Affairs 2001; *Beverage Daily* 1.11.2005.

National policies

As the volume and sophistication of alcohol advertising has increased, so too has public concern in many countries. There is a trend towards greater restriction. As the European Public Health Alliance points out, when faced with the threat of government restrictions, particularly on marketing practices, the tobacco, alcohol and food industry have always argued for voluntary codes of conduct.¹⁵

The national policies listed below have often been highly contested. Debate continues, in the context of concerns about other advertising that influences children and young people. A number of countries now have legislation or voluntary codes on advertising targeting children, an issue being monitored by the European Commission. Most legislation and codes on alcohol advertising include a rule against ads that target those under the drinking age, and many require actors in ads to be above a certain age.

The notes below focus on whether policy is implemented through regulation or industry self-regulation. In the European Union, alcohol advertising standards are framed by the Television Without Frontiers Directive. Legislation is most used to restrict alcohol advertising so as to limit exposure to alcohol messages, by children and young people in particular. Legislation is also sometimes used to establish a legal framework for industry self-regulation.¹⁶ This list does not focus on the detail of or variation between industry voluntary codes, although some less usual rules are noted where this information is available. References to 'partial' or 'complete' restriction comes from the WHO 2004 report on alcohol policy or alcohol database with no further detail (such as permitted broadcasting times). The information gathered may not be complete or entirely consistent.

Armenia

There are no restrictions on alcohol advertising, Health warnings are shown on ads and on containers.

Albania

There are no restrictions on alcohol advertising, Health warnings are shown on ads and on containers.

Austria

Broadcasting legislation prohibits advertising of spirits on radio and television, and also advertising and infomercials for alcohol on cable and satellite. It is illegal on television or radio to advertise alcohol in connection with children, adolescents, motor vehicle drivers and sports or to encourage alcohol consumption or abuse. Alcohol sponsorship and subliminal alcohol advertising is prohibited. Spirits advertising is partially restricted in print and billboards, while wine and beer advertising comes under a voluntary code of the Austrian Advertising Council. Legislation on schools prohibits advertising or sponsorship by products that could lead to addiction, such as alcohol.

All permitted alcohol advertising has come under the Austrian Advertising Council's self-regulatory code since 1995. This has the same rules as for broadcasting advertising, plus no allusion may be made to health promoting, healing or stimulating or healing effects of alcohol or linking it to success; no presentation of drinking or drunk persons or adolescents, no reference to popular idols or sports events. Ads should not call on viewers to 'Drink...' such-and-such a product. The Australian Advertising Council has no powers of sanction.

Australia 2001

Alcohol advertising is self-regulated by the industries concerned. Alcohol ads are permitted on television at adult viewing times as set by the Commercial Television Industry Code 2003. Advertising in other media and the content of television ads comes under a Alcoholic Beverages Advertising Code (ABAC), the 'principals' of which are the peak organisations of the spirits, beer, wine and retail industries, in association with the Federation of Australian Advertisers.

The first Alcoholic Beverages Advertising Code collapsed in 1996 when the Competition and Consumers Commission revoked authorisations to the Media Council of Australia following public

¹⁵ European Public Health Alliance, *An introduction to co-regulation and self-regulation in the EU: Briefing to members*. February 2005.

¹⁶ As in New Zealand, the word 'Authority' does not necessarily indicate a statutory body.

criticism. It took two years to establish a new code, with only the Commercial Television Industry Code operating in the hiatus.

In 2002 a pre-vetting system was added to the 1998 ABAC code. Research in 2001-2002 showed self-regulation was not working well. Young people were taking messages from the ads that were contrary to the code, the most frequent response being that the alcohol had mood changing effects, offered sexual or social success, and was 'easy to drink'. A quarter of 15-16 year olds and almost half the 19-21 year olds thought the ads were aimed at people 'younger or much younger than me'. When marketing academics were asked to judge ads against the code without knowing the Complaints Board's rulings, a majority thought seven out of nine breached the code. A majority of university students thought all nine breached the code.¹⁷ In 2002 there was public criticism of alcohol advertising on bus shelters, youth magazines and the internet and of products targeting children such as alcoholic milk.

In 2003, a review of alcohol advertising was undertaken by the Commonwealth, State and Territory governments which found that the ABAC was dysfunctional. The report recommended that the code be extended to cover the internet and events promotions; that public health experts be included on the complaints panel; that ruling be faster and reports to government more transparent. Greater efforts should be made to sign up all alcohol producers to the code. Any failure to comply with these recommendations by April 2004 would lead the Ministerial Council to consider regulation. In 2003 the Ministerial Council on Drug Strategy found

The 2004 code covers internet ads, advertising by retail outlets and promotions at events, as well as advertisements in all media. To summarise, the code must not encourage excessive or underage drinking, must not have strong appeal to children or adolescents, suggest alcohol contributes to significant mood change or social, sexual or sporting success, show any direct association between alcohol and vehicles, boats, sports activity including swimming and water sports or other hazardous activity. (It is weaker than the New Zealand code as it does not mention sponsorships or 'heroes of the young'.) The code has a management committee comprising representatives of the beer, wine, spirits and retail peak organisations and a government representative. Complaints are channelled through the Advertising Standards Bureau and Board, whose website does not refer to the alcohol code. Some complaints were being decided and dismissed by the ASB rather than forwarded on to the more specialised ABAC Adjudication Panel. The Panel's members are independent of the alcohol industry and include a health expert appointed in consultation with government.

Azerbaijan

Partial restrictions on advertising of spirits and wine on all media, including cable and satellite, but no restriction of beer advertising. Health warnings are legally required on alcohol advertisements.

Belarus

Alcohol advertising is completely restricted on all media including cinema. Product placement in television shows and films is completely restricted. Non-alcohol advertisements associated with brand names come under a voluntary agreement.

Belgium

Most alcohol advertising comes under voluntary guidelines as well as a Law on Commercial Practices. Flemish state owned broadcasting has not accepted commercial advertising and Francophone broadcasting has not accepted advertising for spirits. From July 1991, radio stations that broadcast alcohol ads (also ads for medicines or medical treatment) have had to give free air time for government health education campaigns.

In 1993 the Advertising Council adopted an advertising code covering initially wines and spirits, then also beer in collaboration up with those industries. This follows the TWF rules and also covers alcohol branded events.

In 2004, the Health Minister presented a bill to prevent alcoholic drinks advertisements targeting or appealing to young people below age 16. Instead in May 2005 the government agreed to a new industry Convention on Alcohol Advertising that includes rules against linking alcohol to social, sexual or professional success and not showing alcohol ads during or within five minutes of children's programmes. Container labels will show alcohol percentage and not resemble soft-drink packaging.

¹⁷ Sandra C Jones and Robert J Donovan. Self-regulation of alcohol advertising: Is it working for Australia? *Journal of Public Affairs*. 2(3). 153, 13 pgs 2002.; Jones, S.C. and R.J. Donovan, Messages in alcohol advertising targeted to youth. *Australian and New Zealand Journal of Public Health*, 2001. 25(2): p. 126-131.

The government has given part of this self-regulation legal backing in a broadcasting law dated March 2005 which implements the TWF rules for alcohol advertising and infomercials.

Britain

The BBC does not carry any alcohol advertising. From 1965 to 1996, spirits were not advertised on television by voluntary agreement. This was abandoned because of falling sales, particularly of whisky, and the collapse of a similar agreement in the USA (and Germany). Alcohol advertising on commercial television and radio was the responsibility of the statutory Independent Broadcasting Authority and Cable Authority, which developed codes of practice. Alcohol advertising in non-broadcast media came under the Advertising Standards Authority's British Code of Advertising and Sales Promotion.

In 1996, in response to controversy about alcopops, the alcohol industry's Portman Group developed a voluntary code on alcohol marketing and young people that covered naming, packaging and promotion, but not advertisements. This averted a proposed ban on the words 'lemonade' or 'cola' on mixed drink containers and a requirement for standard drinks labelling.

In 2004, £202.5 million was spent on alcohol advertising in the UK. More than £800 million is spent annually on all alcohol promotional activity.

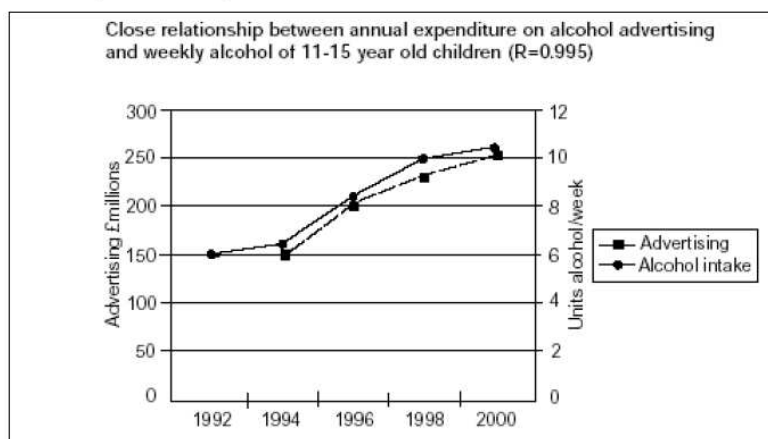
In November 2004, the Advertising Standards Authority assumed responsibility for broadcast advertising standards and consumer complaints, as well as non-broadcast. Under all codes, advertisements should not encourage excessive drinking, market to audiences under 18 or depict drinkers under 25, characters likely to appeal to those under 18, activities or location where alcohol would be unsafe, or suggest alcohol enhances mental, physical, sexual capabilities, popularity, masculinity, femininity or sporting achievement. Since 2004 alcohol may not be advertised where more than 25% of the audience is likely to be under 18.

New rules for alcohol advertising on television from October 2005 exclude promotion of alcohol by pop stars and sporting personalities and images of 'teenage rebelliousness, and music and dance likely to appeal strongly to under-18s'. Alcohol should not be depicted as a social lubricant, or 'party starter' (Bacardi ad). Advertisers should not imply that 'any alcoholic drink could be a source of nourishment, or suitable as part of an exercise, fitness or weight control regime' (low carb beer is now heavily promoted in the USA). The use of cartoons and animals has not been ruled out, although advertisers are cautioned 'to take special care' with such images.

These rules were developed by Ofcom, the UK communications regulator, which then handed responsibility for television advertising to the self-regulatory Advertising Standards Authority. This was part of new licensing legislation liberalising hours of trading and a national Alcohol Strategy developed in close consultation with the Portman Group, and has been criticized by public health organisations and police.

The Royal College of Physicians considers these rules too weak and calls for television ads to be restricted to after 9 pm. The British Medical Association has called for a complete ban on alcohol advertising. In response to the UK Alcohol Strategy, the Academy of Medical Sciences released a report that included the following graph showing a close relationship over most of the 1990s between alcohol advertising expenditure and drinking by children aged 11-15.

UK advertising expenditure at current prices and correlations with alcohol consumption 11-15 year old children: 1992-2000⁸



Source: *Calling Time: The Nations's drinking as a major health issue*. A report from the Academy of Medical Sciences, March 2004

Bulgaria

No advertising of any alcoholic beverages on television, radio, print or billboards. This is enforced. No restrictions on alcohol sponsorships for sports or youth events.

Canada

Laws on alcohol advertising may be implemented at federal or at provincial level (see www.ccsa.ca). The Broadcasting Act 1991 provided a statutory framework for regulations on alcohol advertising and advertisers are required to abide by a code. The code disallowed broadcast advertising of beverages over 7% abv until 1996, when a legal challenge by Canadian distillers was successful.

In a consequent public review, all but two submitters thought it necessary to retain a statutory framework for alcohol advertising. Broadcast advertising is now permitted for all beverages unless prohibited by legislation at provincial level. The Canadian Radio and Television Commission, a statutory body, formulated the current code as a regulation under the Act. As part of 'balanced programming', the code expects broadcasters to carry alcohol health promotion advertising and report annually to the Commission on this. The code is administered (pre-vetting, complaints) by an advertising industry body, which also self-regulates alcohol advertising in other media.

In 2002, Ca\$160 million was spent on alcohol advertising in Canada and alcohol appeared in approximately two thirds of all programmes watched by Canadian teenagers at an average rate of 8.1 drinking references per hour.

The provinces can pass laws or regulation on alcohol advertising, as well as on liquor licensing. Many do so, and this can include full prohibition of alcohol ads.

For example, in **British Columbia** the Liquor Control and Licensing Branch of the Ministry of Public Safety sets alcohol advertising standards for all alcohol producers and on and off-licensed premises, and runs a complaints system. **Manitoba** laws aim to reduce exposure to alcohol by permitted alcohol advertising only on television and radio programmes for which the majority of the audience will be adults and in publications with adult readerships. Alcohol advertising on outdoor signs, billboards and transit shelters is not permitted and other forms of advertising are restricted to indoor spaces. There are also rules about alcohol sponsorship of charitable events and motor sports, on contests – alcohol may not be used as a prize – and on other promotions. **New Brunswick** uses a regulation under its Liquor Control Act 1990 to set advertising standards for ads by licensed sellers of alcohol and permits advertisements by alcohol producers to refer only to trademarks, brand names, body labels or recipes and use only slogans or copy descriptive of the product or brand. **Quebec** uses a regulation to set rules and standards on promotions, advertising and educational programmes. The **Yukon's** Liquor Act prohibits advertising a specific alcohol brand name or drink price in the newspaper, flyers, posters, events, radio, television, etc.

China

China has little policy on alcohol, including no minimum age of purchase. The State Industry and Commerce Bureau issued an official document on regarding 'The Regulations of Alcohol Advertising on Media', implemented from 1 January 1996, but there is still much alcohol advertising that infringes the regulations. Advertisements may not associate drinking with social success, daring, toughness, bravado, stimulation and relaxing, and suggest that alcohol can enhance health and sexual performance (herb alcohol beverages).

Croatia

Complete restriction of spirits and wine advertising on television (including cable), radio, print, billboards, cinema, point of sale and product placement in television shows and films. Spirits and wine advertising on satellite, internet and rented videos is partial restricted. Branded sponsorship events are completely restricted for spirits and wine, and partial restricted for non-alcohol products associated with the brand. Beer advertising is not restricted.

Cyprus

Spirits and wine advertising is completely restricted on television (including cable) radio, print, billboards, point of sale and cinema, as is product placement in shows and films. Spirits and wine branded events are completed restriction with partial restriction for non-alcohol products for the brand. Spirits and wine advertising is partially restricted on the internet, satellite television and rented videos. Beer advertising is not restricted.

Czech Republic

Alcohol advertising comes under a voluntary code of advertising standards. Alcohol billboards must be 300m distant from schools. (In early 2006 the Czech Government proposed a 3% tax on all television commercials, to help finance local film-making.)

Denmark

Until 2003 a law prohibited advertising on Danish television and radio for alcohol over 2.25% abv. From the early 1970s beer advertising in other media and other placed came under an industry agreement not to use ads targeted at young people, or that linked alcohol with sports or driving. In 1974 a bill to prohibit all alcohol advertising failed, but the issues continued to come up in public and parliament debates. The first industry code covering all alcoholic beverages was agreed in 1976, and continued to be updated. Initially the code applied only to those who signed up to it, but from 1990 it was co-signed by the Consumers Ombudsman and all advertisers and producers are expected to comply.

In 1999 negotiations for guidelines to allow corporate logos on sports clothes and light beer ads failed. The 2000 version of the code involved Ministry of Health, the Ministry of Industry and the Consumers Council and an independent enforcement committee was set up. The current code applies to alcoholic beverages over 2.8% abv. Advertising may not be provocative, pressing or otherwise persuading, it may not give the impression that alcohol is good for your health or contributing to success or physical and mental capability. It is not permitted in or near schools, playing grounds and youth clubs, or at events or in magazines targeting children and adolescents. Advertising and sponsorship may not be combined with sports, sports grounds and sports magazines.

The law against alcohol advertising on television was repealed in 2003, but it is not permitted on radio. Alcohol ads on cable television, internet, rented videos are partially restricted, as is product placement. Other media come under the voluntary code (WHO database).

Estonia

There is partial restriction of alcohol advertising on television and radio. Alcohol may not be advertised in the cinema and spirits may not be advertised on billboards or rented videos. Product placement is partially restricted (WHO database)

Finland

Before 1977 alcohol advertising was regulated by Alko, the state alcohol monopoly. From 1977 all alcohol advertising was banned by law except in trade magazines. The 1994 Alcohol Act legalised advertising of alcohol up to 22% abv. Ads may not be aimed at minors, depict alcohol consumption linked to driving a vehicle, or describe heavy drinking in positive terms. Ads must not suggest that alcohol increases performance, socially or sexually success, has medical or therapeutic properties, refreshes, or helps settle conflicts.

There is partial restriction of spirits and wine advertising on billboards and at point of sale. Beer advertising is partially restricted in all media except cinema and point of sale. Events branded by beers or wine are partially restricted and spirits sponsorships are not permitted (WHO database).

France

Restrictions on alcohol advertising introduced in July 1987 discriminated against foreign products, and Scotch whisky producers took France before the European Court of Justice. While the case was being decided, producers and advertisers ran ads that were flagrant and outrageous breeches of the 1987 law. This led the parliament to vote for new stricter legislation.

The Loi Evin, finally implemented in 1993, bans the advertising of all alcoholic beverages over 1.2% abv on television and in cinemas, and also prohibits sponsorship of sport or cultural events by alcohol companies. Radio advertising of alcohol is not permitted between 5 pm and midnight. Bill boards are not restricted. As well as forbidding the targeting of minors, the law effectively outlaws 'lifestyle' advertising of alcohol products (following controversy over sexualized alcohol ads). Advertisements may only refer to the actual characteristics of the product such as brand name, ingredients, provenance, how to prepare and serve the drink, etc.

This legislation has been challenged in French and EU courts – unsuccessfully. In July 2004, the European Court of Justice ruled that it was a restriction of freedom to provide services, but was justified by the aim of protecting public health (ECJ C-262/02, C-429/02, 13.07.4).

France's law against alcohol sports sponsorship has been deliberately infringed by alcohol sponsored sports coverage broadcast from neighbouring countries.

In 2005, the French Senate voted to allow wine advertisements on television, showing product characteristics only.

Georgia

Spirits and wine advertising is partially restricted on television and radio. Spirits advertising and product placement is also partially restricted.

Germany

Since 1976 alcohol advertising has been covered by a voluntary industry Code on Alcoholic Beverages Advertising. Spirits were not advertised on television until the mid 1990s. The code was extended to cover infomercials in 1998. Other than the Television Without Frontiers Directive, the system is self-regulatory.

In January 2005, the Deutsche Werberat issued a new Code of Conduct on Commercial Communication for Alcoholic Beverages. Its stated aim is to prevent advertising being 'misconstrued' as promoting alcohol abuse or directed at minors. It covers the TWF rules in some detail and includes not showing sports people drinking or promoting drinking or persons depicted as members of the healthcare professions.

Product placement is completely restricted and branded events are partially restricted (WHO database).

Expenditure on alcohol advertising in Germany quadrupled between 1970 and 1995.

Greece

There are currently no restrictions concerning alcohol advertising, sales promotion and sponsorship. At the beginning of the 1990s, however, efforts were made to decrease the quantity of alcohol advertisements on television, and some regulations were introduced by the Ministry of Social Security, which also ran a campaign against drunk driving. In the early 2000s, the three public television channels have initiated a policy of decreasing alcohol advertisements. The number of alcohol advertisements per day on each television and radio station is limited.

Greek law on private and local broadcasting aims to protect children and sets out the TWF rules for alcohol advertising.

Hungary

The Radio and Television Broadcasting Act 1996 prohibits public broadcasters from accepting alcohol advertisements or programme sponsorship from producers or distributors whose main activity is alcohol. Advertising by other broadcasters is covered by TWF-style rules. In addition, alcohol advertising may not be shown directly before or after programmes made for minors, or in prime time except ads for low alcoholic drinks. Self regulation of other advertising based on a code of advertising ethics is recognised in a Business Advertising Activity Act. The 2005 Code includes the TWF rules on alcohol advertising, as well as a section on the protection of children and young people.

Iceland

Alcohol advertising is completely restricted on television (including cable), radio, billboards, cinema and rented videos. Branded events and product placements are completely restricted. Print media and point of sale advertising is partially restricted (WHO database).

India

The government controlled channel, Doordarshan, does not broadcast such advertisements. From September 2000, the Cable Television Network (Regulation) Amendment Bill prohibited alcohol and tobacco advertisements. The ads continue to be seen via satellite channels.

Ireland

Advertising of distilled spirits is not permitted on television, radio and cinema. From 1967 the national television station had a code of standards on alcohol advertising that was more clearly defined than the current one.

A voluntary code of standards for all broadcasting media was established under in the 1990 Broadcasting Act and updated in 1995 in keeping with the TWF directive. No alcoholic beverage advertisements are allowed in or around programmes primarily intended for young viewers or listeners, and alcohol sponsorship of youth programmes is not permitted. Alcohol advertisements may not be shown before sports programmes, and the same ad may not appear more than twice per night on any one channel. There are no restrictions on other brand sponsorships or on product placement.

On all other media a voluntary code on alcohol advertising is one of a set of codes by the Advertising Standards Authority of Ireland, an industry self-regulatory body. The 1995 code is currently under review. The code requires ads to be socially responsible, should not exploit the young or the immature, should not encourage excessive drinking nor present abstinence or moderation in a negative way. Actors should be over 25 years of age. Promotional samples should be so as to avoid risk of harm to consumers. Posters or billboards should not appear within 100 yards of schools, youth centres, hospitals, churches or other places of worship. Cinema ads should not be shown to overtly young audiences. There is no effective independent monitoring mechanism.

In 1996, a code of ethics and good practice for children's sport was developed by the government which actively discourages the use of alcohol as incompatible with a health approach to sport. This was not endorsed by the drinks industry.

Heavy drinking, particularly among young people, increased rapidly in the growing economy of the 1990s. Research by the Department of Health & Children showed teenagers picked alcohol ads as their favourites, believed that most of these targeted young people, and interpreted them as suggesting alcohol is a gateway to social and sexual and has mood altering and therapeutic properties. In 2003 the Minister for Health & Children began preparing legislation to protect young people from exposure to alcohol marketing, with possible restrictions on alcohol ads on television and radio before 10 pm, in cinemas showing films rated for under-18s, on public transport and at sporting events. In June 2004 the Irish Parliament's Joint Committee on Health & Children published a report calling for a complete ban on alcohol advertising in all media within three years.

Self-regulation has continued, however. In December 2005 additional new 'Voluntary Codes to Limit the Exposure of Young People to Alcoholic Drink Advertising on Television, on Radio and in Cinemas' were adopted. Alcohol advertising or sponsorship should not be accepted where more than a third of the audience will be under age 18, and the codes provide rules on how this will be established. These codes will come under a new Alcohol Marketing Communications Monitoring Body, with two members appointed by the Department of Health & Children and an independent chair as well as representatives from the alcohol, advertising and media industries.

The government has been criticised by the Irish Medical Organisation and the National Youth Council for allowing a voluntary code of practice as this will not protect Irish children from alcohol marketing.

Israel

There are partial restrictions on alcohol advertising on television and in the print media (WHO database). In 2002 a 2% abv alcoholic milk called Xtramood was launched, produced by a dairy. "

Italy

Until 1991, alcohol advertising was not regulated by law as alcohol was not considered a social problem. From 1964, alcohol producers, advertisers and broadcasters had a voluntary code on media advertising, and in 1996 the alcohol industry subscribed to a self-regulatory code for alcohol advertising. Ads should not encourage excessive alcohol consumption, show alcohol addiction, be addressed to minors, link alcohol and driving, link alcohol and mental or physical special performances, or present alcohol content as a positive quality.

In 1991 a National Law of 30.11.91 applied the TWF Directive to alcohol advertising on television.

The 2001 Alcohol Act introduced a ban on television and radio advertising of alcohol between 4 pm and 9 pm. It prohibits alcohol advertisements addressed to young people in all media, as well as during or 15 minutes before or after television programmes for minors. Ads may not show minors drinking alcohol and may not link drinking to therapeutic properties not acknowledged by the Ministry of Health. The Act requires a self-regulation code to be provided jointly by broadcasting companies, advertisement agencies and producers on the content of alcohol advertisements.

Announcing an information campaign for young people on alcohol and health in early 2006, the Italian Health Minister said he would like to further reduce the alcohol advertising that young people are exposed to.

A voluntary agreement covers cable television, beer advertising on the internet and rented videos, and branded events. There are partial restrictions satellite television, product placements and branded events for wine. Spirits branded events are completely restricted (WHO database).

Japan

Japan has no state regulation or industry codes on alcohol advertising. Ads for beer and spirits are shown on television. From 6 pm, 10 percent of ads on Tokyo's five stations promote alcohol. Kirin Breweries (part-owner of Lion Nathan) makes brief mention in its 2005 Financial Statement footnotes on risks to the company's 'strict voluntary standards' but these are not addressed in its Corporate Code of Conduct. Asahi has its own Voluntary Advertising Expression Standard, applied by an in-house committee to all advertising and promotion (includes Foetal Alcohol Spectrum warnings on containers). Asahi became an ICAP funder/member in 2001. No regulation or industry code addresses the look-alike non-alcoholic 'Kid's Beer' ('kodomu biiru') sold by Tomomasu.

Kazakhstan

Alcohol advertising on television and radio is partially restricted. Health warnings are required on alcohol advertisements.

Kyrgyzstan

There are partial restriction on alcohol advertising on national and cable television, radio, print, billboards and point of sale.

Latvia

Health warnings on advertisements and on containers. There is complete restriction of spirits advertising on national and cable television and radio.

Lithuania

Spirits advertising is partially restricted on television (including cable and satellite), radio and print, and completely restricted on billboards. Branded events are partially restricted.

Luxembourg

There are no legal restrictions on the advertising of alcoholic beverages. Other than the Television Without Frontiers Directive, the system is self-regulatory. In 1984 a voluntary advertising code was established by the brewers under which advertisements would not link beer to the workplace, performance sports, driving or children. The Compagnie Luxembourgeoise de Telediffusion has a voluntary code for broadcasting, and in 1992 initiated another voluntary agreement involving the Ministry of Health and alcohol producers, distributors and retailers in Luxembourg. This places some restrictions on the place, size, duration and content of advertisements and has some similarities to France's Loi Evin. It does not affect trans-border advertising, although the main foreign importers of alcoholic beverages have been informed of the code. (Luxembourg has lower taxes than its neighbours and much of Luxembourg's high per capita alcohol consumption results from cross-border shopping.)

Malaysia

Direct alcohol advertising is not allowed in the broadcast media or on billboards, except in the state of Sabah in East Malaysia. Alcohol advertising is permitted in cinemas, on video cassettes and the print media. Sponsorship activities are allowed.

Malta

Alcohol advertising is partially restricted on all forms of television and on radio.

Moldovia

There is complete restriction of spirits advertising and promotion in all categories and partial restrictions for beer and wine in all categories.

Nepal

According to the Association of Advertising Agencies, alcohol accounts for 30% of advertising turnover. Most newspapers and magazines feature multiple alcohol advertisements on an almost daily basis. In

January 2000, for example, 245 alcohol advertisements for liquor and beer appeared in 25 daily and weekly newspapers in Kathmandu. Alcohol advertisements feature prominently in hoardings and billboards.

The National Broadcasting Act 2049 (1992) discouraged but did not restrict alcohol advertisement in print media. The Act imposed a levy of Rs.105 per alcohol advertisement. Outdoor advertising may have to comply with local administration rules but is not restricted.

In February 1999, the Health Ministry issued a decree banning alcohol advertisement on radio and television. They were replaced with counter-advertisements and health messages to compensate for revenue lost by the media. Revenue from sponsorship of programmes also fell. Alcohol ads continue to be seen on satellite channels. In December 1999 further legislation was proposed to ban alcohol and tobacco advertising in all media, including print. This was opposed by the industries concerned and was not implemented.

Netherlands

There is no legislation restricting alcohol advertising. Other than the Television Without Frontiers Directive, the system is self-regulatory – so far.

In 1963 the business community established a general Committee for Advertisement, and a code for alcohol advertising came into effect in 1977. From 1987 the alcohol industry took responsibility for regulating its own activities. A stronger code was developed by the two organizations in 1990, which applied also to ads by retail outlets.

In 2000 inadequate compliance led the Health Minister to threaten legislation. The code was strengthened to cover all media and public events, banning alcohol advertising or sponsorship where more than a quarter of viewers, listeners, readers or visitors are aged under 18. Advertising may not encourage alcohol consumption, promote alcohol generically, or be critical of moderate drinking or non-alcoholic drinks. Ads may not suggest that drinking is healthy or be aimed at pregnant women or minors or show persons who appear to be underage. Alcohol advertisement may not be used during, immediately before or after television, radio programmes or films aimed at young people, on pop music channels, or with other audiences with more than quarter below the age of 18. The word ‘free’ may not be used in alcohol advertisements and 40% of all advertisements on television must contain a moderation message.

In 2003 a publication by the National Foundation for Alcohol Prevention gave many examples of code infringements. In early 2005 a study showed on average young people aged under 13 were drinking drink up to 6 glasses of alcohol per week. The Health Minister threatened to prohibit alcohol on television between 6 and 9 pm unless the alcohol industry reduced advertising at times children were watching. Instead an industry offer to put warnings on all ads has been accepted by government, and alcohol tax increases are likely.

UNESCO’s Youth Exchange reports that the alcohol industry spent €100 million in the Netherlands in 2001, an increase of €38 million since 1995, and eight of the top 20 sponsors of youth events were alcohol brands.

Norway

Advertising for alcohol over 2.5% abv is prohibited on television (including cable), radio, in print and on billboards. From 1975 there was a ban on advertisements in print media, then from 1977 a comprehensive ban covered all media, including illuminated advertisements, posters/billboards, and advertising on restaurant fixtures and equipment. Alcohol sponsorship of sports and youth events is prohibited. Alcohol advertising on the internet and product placement are now also partially restricted. The law is very broad: all mass communication for marketing purposes is prohibited, regardless of how it is carried out. Even advertising that alludes to alcoholic beverages is prohibited. Ads in trade journals and for licensed premises are permitted, and the law does not cover ads in imported publications or satellite broadcasts. The advertising of light beer is permitted as the Alcohol Act 1989 defined alcohol as more than 2.5% abv.

Alcohol companies have tried to circumvent this. Some have advertised drinks with less than 2.5% alcohol, indirectly promoting their higher alcohol product with similar name and appearance. In some cases the light product was not available to consumers. The 1997 Alcohol Act then prohibited ads for light beer from using a brand or company, logo, slogan, or symbol associated with a full strength product.

During the late 1990s several Norwegian breweries challenged the law by sponsoring different sports teams and sporting events. Carlsberg, ‘Probably the best beer in the world’, had its visiting football team wear Carlsberg red with simply the word ‘Probably...’ Budweiser similarly put only the word ‘Wassup?’

from its ads on phone covers and products targeted at young people. The breweries' actions led to a lengthy legal proceeding, which they won. This ruling was overturned by the Supreme Court, maintaining the ban for alcohol advertising.

To launch Smirnoff Ice, posters and invitations were used to organize 'Intelligent nightlife' parties in nightclubs, hosted by trendy young people, bottle in hand. Smirnoff tried to argue that that these were closed events for the trade. The importer lost its licence for six months, so the brand was shifted to another importer.

Pacific Islands

Heavy drinking and its links to domestic violence and crime are of increasing concern in the Pacific Islands, although most have high proportions of non-drinkers. Few countries have policies on alcohol marketing. **Tonga** has no policies or laws on alcohol advertising which appears on television radio, newspapers and signage on sports grounds. **Samoa's** Liquor Act states alcohol ads must not target young people and all media must comply with regulations against offensive or problematic advertising. Alcohol billboards have been erected around Samoa and ads for hotels and restaurants also depict drinking. Samoan Breweries (Vailima beer) is the main sponsor of adult sports and other events. Coca-cola is its other main product, so health advocates see coca-cola sponsorships targeting young people as an indirect form of alcohol promotion. **Nuie** does not allow broadcast alcohol advertising, but sports are sponsored through a \$1 levy on beer. **French Polynesia** placed restrictions on alcohol advertising, including at sports venues, from 2003. **Guam** reports heavy alcohol advertising in all media. In **Micronesia**, **Pohnpei** State prohibits all alcohol advertising.

Poland

In 2001 new anti-alcoholism legislation aimed at reducing youth drinking severely restricted advertising and sport sponsorships by alcohol manufacturers, as well as introducing a series of alcohol taxes. Spirits advertising is completely restricted in all media, including sponsorships and product placement. Beer and wine advertising is partially restricted in all categories.

Portugal

Alcohol advertising was regulated for the first time by consumer protection law in 1981. A law in 1983 prohibited alcohol advertisements being broadcast between 6 pm and 10 pm. TWF was implemented in 1990. In 1995 the restriction on alcohol ads on television was amended to 7 pm to 10.30 pm. Advertising of beer and spirits is not permitted in cinemas or on billboards, in educational institutions or in magazines aimed at minors, or during sports or cultural events.

All permitted alcohol advertising comes under an industry self-regulatory code which closely follows the TWF rules. National symbols are not to be used in advertising alcohol and ads may not be shown in hospitals or places of relaxation.

When Carlsberg sponsored the Euro 2004 soccer championship in Portugal, Portuguese sales of its brand went up 54% for that month.

Romania

There are partial restrictions on wine advertising on television and radio. Advertisements have health warnings. No restrictions on sponsorship of sports or youth events.

Russian Federation

There is partial restriction of spirits and wine advertising on television (including cable and satellite) and radio. All alcohol advertising is completely restricted in print media and partial restricted on billboards. Wine and spirits branded events are completely restricted. Cinema advertising and product placement for beer or wine and beer branded events come under a voluntary agreement.

In December 2004, *Pravda* reported that no television advertising of alcohol over 15% abv was permitted, but ads for mineral water and chocolates were being shown that bore a close resemblance to well-known alcohol brands. A majority of viewers perceived a Flagman's chocolate ad as a vodka ad. Two ads were banned and the Federal Anti-monopoly Service was considering taking further action. A general survey showed 20 percent of respondents, but 38% of 18-24 years olds, had seen ads in which they recognized vodka trademarks behind alcohol-free brands.

Slovakia

Advertising of spirits and wine is prohibited on television and partially restricted on radio. There is no restriction on sport sponsorship but youth events are covered by a voluntary agreement.

Slovenia

Spirits advertising is prohibited on television, radio, print media and billboards. Advertising of wine and beer is partially restricted on television, radio and in print media and banned on billboards. Advertising of beer is not restricted. All alcohol sponsorship of sports and youth events is restricted. There are health warnings on permitted advertisements.

South Africa

All forms of alcohol may be advertised freely on radio, television, in print and on billboards. The Industry Association for Responsible Alcohol (ARA), founded by South African Breweries, the Cape Wine and Spirits Institute and KWV (wine producers), developed a voluntary code for liquor advertising. Complaints are administered by the Advertising Standards Authority of South Africa, an advertising industry body. The code covers similar issues to TWF rules, and disallows 'creative devices which have a special appeal to children', or humorous or untrue depiction of alcohol after affects. All alcohol advertisements are required to carry the message 'Not for sale to persons under the age of 18', with size specifications.

In 1997 the Department of Health established a committee to look at counter-advertising and warning labels, and another to looking at possible restrictions on broadcast advertising and sports sponsorships. Sports sponsorship by the alcohol industry is very high, especially for cricket, rugby and soccer. Political changes slowed progress, but two years ago the provinces agreed to the development of new legislation. Research found that the social costs of alcohol-related trauma and accidents far exceeded those of other countries and that intoxication was a major factor in road accidents and violence-related incidents.

In February 2006 the Minister of Health announced that this year the government intends tighter liquor laws, including health warnings on container and advertising restrictions to limit audiences.

Spain

A 1990 law prohibited television advertising for alcoholic beverages over 20% abv. The TWF was implemented in 1994. Regional governments are also able to impose their own legislation. In Catalonia, for example, advertising for alcohol above 23% abv is banned in streets, highways, on public transport and in cinemas, and no broadcast advertising for alcohol is allowed before 9.30 pm. This law was challenged in the European of Justice which ruled that, although it could constitute an obstacle to imports, it was not disproportional to its public health objective (Cases C-1/90, C-176/90, Aragonesa de publicidad exterior SA et al. vs Seguridad social de la generalitat de Catalunya).

Self-regulatory codes covering advertisement content are also in operation. In 2003 Cerveceros de España (Breweries of Spain) signed an agreement with Autocontrol (Association for Self-Regulation in the Commercial Sector) and the Confederation of Consumers and Users to restrict beer advertising. The new code establishes that marketing and advertising will not address minors, either directly or via symbols, drawings or special codes of communications and not market or advertise beer in places visible from school entrances. All beer ads will include a message about responsible consumption. These restrictions will apply to non-alcoholic beer, so as not to confuse young audiences.

In April 2005 advertising groups signed an agreement with the Anti-Drugs Agency of Madrid aimed at protecting minors from alcohol over-consumption. Alcohol advertising will not feature people under 23. Outdoor alcohol advertising will be restricted to billboards smaller than 10 x 12.5 metres, and not within 125 meters of a school. The TV channel Telemadrid agreed to broadcast alcohol ads only after 8.30 pm.

There is recent concern about binge drinking and public partying by young people, often young tourists from neighbouring countries. The Minister of Health is considering stronger national measures, including further restrictions on alcohol advertising.

Sweden

Swedish legislation prohibited advertising of alcohol over 2.25% abv in all media. This allows low alcohol beer to be advertised. Low alcohol products with brand names and packaging identical to full strength beer have been advertised, partly circumventing the legislation.

The law allowed only trade magazines to advertise alcohol. This was challenged by *Gourmet* magazine as discriminatory under European Union trade law. The Stockholm District Court, then

Sweden's Market Court agreed. This judgement related only to print media, but raised possible questions in regard to other media.

New legislation was passed and implemented in January 2005 which clarified the purpose and application of Swedish alcohol policy. Alcohol ads are not permitted on radio or television, including satellite. (One Swedish language television channel relocated itself in the UK so as to circumvent Swedish laws against the promotion of alcohol.) Alcoholic beverages more than 15% abv may not be advertising in any periodicals or other journals, except point of sale materials.

Switzerland

Alcohol advertising is not permitted on Swiss television and radio – so alcohol-free beer was advertised instead. It is prohibited in public places and public buildings and public transport. The law also prohibits advertising at sports event and sports fields and at events for young people. Alcohol may not be advertised in shops that sell medicaments or on any packaging other than alcohol containers.

Competitions may not be used to promote alcohol and alcohol may not be used as a prize. Alcohol ads in other media are limited to factual information and descriptions directly related to the product and its attributes. Other regulations prohibit alcohol advertising in places or print media that would be mainly seen by teenagers, including school materials, toys, merchandise (t-shirts, caps etc.).

In March 2005 new broadcasting legislation was passed that continues to prohibit alcohol advertising on television and radio, as well as tobacco, political and religious advertising. An amendment to ban alcohol advertising on foreign channels available in Switzerland was not approved.

Lichtenstein also bans broadcast alcohol advertising.

Thailand

In 2000, alcohol companies spent 2,500 million Baht on advertising; 78 per cent of this was on television, with beer most heavily advertised. Other forms of promotion being used are television programme sponsorship, sports sponsorship, charitable donations, beer festivals, sponsored party nights and cut price promotions.

Proposed legislation to reduce consumption and alcohol related harm included restricting advertising of alcohol more than 15% abv. This would not be permitted on radio or television until after 10 pm. However, in January 2006 the Public Health Ministry announced that at a meeting of the Alcoholic Consumption Control Board this option was rejected in favour of banning all advertising for alcoholic drinks on radio and television (except for ads in redirected international sports coverage). The time now proposed for allowing alcohol advertising on television is 2 am to 5 am. Prohibiting alcohol billboards and posters and zoning restrictions on restaurants serving alcohol will also be considered.

Turkey

Alcohol advertising is prohibited on television and radio, but there are no restrictions on print or billboard advertising, or on sponsorship of sports events or youth events.

United States

The beer, wine and spirits industries each have their own voluntary code, which they administer themselves. There is also a general code for the advertising industry, which does not mention alcohol. There was a voluntary agreement not to broadcast spirits advertising on radio (from 1938) and on television (from 1948) which dated back to the end of Prohibition. This collapsed in 1996 when it was breached by Canadian company Seagrams. There is now spirits advertising on cable television, but most networks continue not to accept spirits ads because of a high level of public concern. There has also been concern about code breaches, the use of cartoon characters and Halloween symbols in beer ads, and billboards near schools and play grounds.

There have been repeated efforts to regulate alcohol advertising, including several bills and an application by Senator Joe Kennedy and 16 state administrators to the Federal Communications Commission, the body that ended tobacco advertising. Regulation of alcohol advertising founders on the Second Amendment to the Constitution, which gives a lesser level of protection to commercial speech. With some evidence that alcohol may reduce risk of heart disease, the argument that alcohol is a legal product has prevailed – although the sale of alcohol is heavily regulated in all states. The public health focus has shifted to the clearly illegal targeting of children and young people. Underage drinking accounts is estimated to account for about 20% of total alcohol consumption. Two investigations by the Federal Trade Commission help keep alcohol advertising up to standard. The first in 1999 found that four

out of eight large beer and spirits companies were in violation of their codes and two were targeting underage audiences in a quarter of their ads. A study over 1999-2000 found that one in every 6 magazine alcohol ads, and one out of every 14 television ads appeared to target teenagers, and emphasised sexual and social stereotypes.

The second FTC report recommended that the industry set up independent external complaints boards and to bar placement of ads in media with large underage audiences. From September 2003, the beer industry and spirits industry advertising standards codes lowered the maximum youth proportion of audiences from 50% to 30%, to match the wine industry's code. The proportion of under-21s in the US population is around 16%. This rule has not been adhered to on cable television, which is very widely subscribed to in the USA.

Alcohol sports sponsorship began in the 1970s in the US, modelled on tobacco sales strategies. The World Health Organization reports that US spending on indirect promotional activities such as sponsorship, product tie-ins, contests and special promotions is around three times higher than spending on advertising.

Vietnam

Alcohol advertising is prohibited by law. Alcohol producers and importers use direct methods to promote their products, especially to young people, such as sending promotion staffs to discotheques, bars and restaurants, and distributing give-away items.

Resolution of the World Medical Association, October 2005

“Alcohol advertising and promotion is rapidly expanding throughout the world and is increasingly sophisticated and carefully targeted, including to youth. It is aimed to attract, influence, and recruit new generations of potential drinkers despite industry codes of self-regulation that are widely ignored and often not enforced.”