

Re: Ireland's Public Health (Alcohol) Act 2018 (Sale and Supply of Alcohol Products) Regulations 2019

(TRIS Notification 2019/423/IRL)

Introduction

Alcohol Action Ireland is a non-governmental agency who act as an expert independent voice for policy change on alcohol-related issues, advocating to reduce levels of alcohol harm in Ireland and improve public health, safety and wellbeing.

We campaign for the burden of alcohol harm to be lifted from the individual, community and State, and have a strong track record in advocacy, campaigning and policy research.

Our work involves providing information on alcohol-related issues, creating awareness of alcohol-related harm and offering public policy solutions with the potential to reduce that harm.

Our founding objective was to ensure that the misuse of alcohol in Ireland be addressed as a public health issue and that a comprehensive policy framework be established to encourage a 'whole-of-population' reduction in alcohol consumption and so lessen the impact of alcohol related harms.

Alcohol in Ireland

Alcohol consumption in Ireland almost trebled between 1960 and 2001, rising from 4.9 litres of pure alcohol per person aged 15 and over to 14.3 litres. It decreased in the years that followed, as an increase in excise duty, followed by the recession, impacted on alcohol's affordability.

However, alcohol consumption remains at very high levels (11 litres in 2018) and, as domestic economic growth continues, and alcohol retail costs remain low, the underlying trend is upward.

Heavy Episodic Drinking is also a significant concern, as 'binge drinking', which is a major driver of alcohol harm, is commonplace in Ireland. Binge drinking is defined by health experts, including the World Health Organisation (WHO), as consuming six or more standard drinks in one sitting, which is the equivalent of three or more pints of beer or six or more pub measures of spirits.

In 2019, the Growing Up in Ireland Survey (National Longitudinal Study of Children; Cohort 1998) reported that 93% of 20-year olds currently drink; 68% drank 2-4 times per month or monthly, while 21% drank 2-3 times a week.¹

This cohort's journey to early adulthood revealed that at 13 years old 15% were drinking; at 17 years old 89% had drunk.

This cohort are also the core of Ireland's heaviest 'binge-drinkers' – 21% of 18-24 years old – which is also the highest rate of the EU28.²

¹ <https://www.growingup.ie/>

² <https://www.cso.ie/en/releasesandpublications/ep/p-wamii/womenandmeninireland2016/health/>

Alcohol purchases in the Off-Trade licenced environment ('high-street' retailing) are increasingly affordable in Ireland. A man in Ireland can secure a weekly low-risk alcohol consumption guideline (17 Standard Drinks (x 10gms)) for as little as €7.48, while a woman (11 Standard Drinks (x 10gms)) need only expend €4.84.³ The national minimum wage is €9.80 per hour.



High levels of alcohol consumption have major public health implications in Ireland, including seven plus deaths every day from alcohol harm. Beyond the serious health consequences, the harmful use of alcohol brings significant social and economic losses to individuals and society in Ireland:

A brief overview of the economic and social impact of high risk alcohol consumption and related harms in Ireland -

- According to the Global Burden of Disease Study 2016, alcohol attributable deaths in Ireland stood at: 2,790 or 7.65 per day.⁴
- The annual cost of alcohol related illness and harm costs the Irish exchequer €2.35bn⁵.
- Today, 10% of public beds in our hospitals are occupied by alcohol related patients
- 1.4 million people in Ireland have a harmful relationship with alcohol⁶.
- The cost of excessive alcohol consumption is a major drain on current public expenditure: Health, Justice, Social Protection; it is estimated that for every €100m of public monies spent, €4.6m will be deployed to mitigate the harmful outcomes of alcohol consumption.
- 283,866 work days were lost to alcohol related absenteeism in 2016⁷.
- An estimated 60,000 teenagers each year will begin, all too early, their drinking careers⁸.
- One third of 15 years old children in Ireland have been drunk in their lifetime.
- Alcohol is a factor in half of all suicides in Ireland.
- The life of one in every eleven children is negatively impacted by parental drinking.

³ <https://alcoholireland.ie/alcohol-action-ireland-release-annual-alcohol-market-review-price-survey-2019/>

⁴ [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(18\)31310-2/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(18)31310-2/fulltext)

⁵ <https://health.gov.ie/wp-content/uploads/2015/12/Appendix-IV-Regulatory-Impact-Analysis-RIA-Alcohol.pdf>

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http://www.hrb.ie/fileadmin/publications_files/Alcohol_in_Ireland_consumption_harm_cost_and_policy_response.pdf

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⁸ European School Survey Project on Alcohol and Other Drugs (ESPAD) 2015

- The total estimated cost of Alcohol Harm to Others (2018) is €863m⁹:
 - Cost of caring for the known drinker
 - Out-of-Pocket Expense - cost burden of specific harms from other drinkers
 - Cost of seeking help services
 - Cost of drinking by others in the workplace.

The necessity to commence the proposed regulations:

A. For the purposes of these Regulations, the sale or supply of alcohol products at a reduced price or free of charge includes -

(i) the award, whether directly or indirectly, of bonus points, loyalty card points, or any similar benefit, to any person arising from the purchase by that person, or by any other person, of any alcohol product,

(ii) permitting the use of any such points or benefit, whether directly or indirectly, to obtain alcohol products, or any other product or service, at a reduced price or free of charge, and

(iii) permitting the use, whether directly or indirectly, of bonus points, loyalty card points, or any similar benefit, arising from the purchase of any product or service to obtain alcohol products at a reduced price or free of charge.

B. A person shall not sell or supply, or cause to be sold or supplied, an alcohol product at a reduced price or free of charge to any person on the purchase by that person, or any other person, of -

(i) one or more other alcohol products (whether of the same or a different kind), or

(ii) any other product or service.

C. A person shall not sell or supply, or cause to be sold or supplied, an alcohol product for a period of 3 days or less at a price less than that being charged for the alcohol product on the day before the commencement of the period concerned.

D. A person shall not advertise or promote, or cause to be advertised or promoted, the sale or supply of alcohol products in a manner specified in Regulation 4 or 5.

Over 60% of all alcohol consumed in Ireland is purchased from the Off-Trade licenced environment and consumed within a domestic setting.¹⁰ This shift in consumer and purchasing patterns is largely attributable to the deregulation of the market, which began in the 1990s and witnessed significant easing in licencing conditions and requirements, and the ending of pricing orders.

⁹ <http://www.askaboutalcohol.ie/helpful-resources/research-reports/the-untold-story-harms-experienced-in-the-irish-population-due-to-others-drinking.pdf>

¹⁰ <https://www.hrb.ie/news/latest-news/news-story/article/irish-alcohol-diaries-2013-new-figures-reveal-75-of-alcohol-is-consumed-as-part-of-binge-session/>

This liberalisation of the marketplace has ensured that alcohol availability is now ubiquitous and alcohol affordability greatly enhanced by reckless commercial practice. With extensive marketing and promotion and manipulated social norms driving even greater demand for alcohol, dominant commercial actors within the Irish retail market, and intense competitive forces have increasingly driven market practice on price promotions, loyalty schemes, discounting and introductory offerings.

In the absence of no statutory mechanism on price i.e., a floor price beneath which the product cannot be sold, or adequate regulations on the sale or supply of alcohol products, the market response has been to make vast quantities of cheap alcohol widely available throughout Irish society with the obvious consequences of harm accruing.

Conclusion

The draft regulations proposed, and enacted by the Public Health (Alcohol) Act, 2018 – itself representing the democratic will of the Irish people to ensure alcohol is control for the protection of public health - are a small but significant step by the Irish authorities to re-establish some level of public order to what has become a careless, and often reckless, marketplace.

Alcohol Action Ireland support the implementation of these regulations.

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