



**AlcoholAction**  
Ireland

**Response to the Scottish  
Government's consultation  
on alcohol marketing**

**ID: ANON-1NVJ-EDGX-7**

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Alcohol Action Ireland is the independent national advocate working to reduce harm from alcohol.

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

We are not funded by the alcohol industry.

We are pleased to have an opportunity to provide evidence to the Scottish Government's consultation on alcohol marketing.

It is important to note that marketing is a mix of decisions on price, product, placement and promotion. Alcohol companies use variations on all these elements in deciding on the marketing of alcohol. Hence it is important that any actions around restrictions on alcohol marketing look at all of these elements.

We support the submissions which have been made by Alcohol Focus Scotland and Scottish Health Action on Alcohol Problems (SHAAP). In particular we would like to draw attention to the experience in Ireland about efforts to reduce the level of exposure to alcohol marketing. We completed the online survey and we are sending this document also so that full references can be accessed via the links provided. The ID number for our survey submission is ANON-1NVJ-EDGX-7.

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## Do you think we should prohibit alcohol sports sponsorship in Scotland?

– Yes

In Ireland the Department of Health published the very comprehensive Steering Group Report on a National Substance Misuse Strategy in 2012. This report and its recommendations were the basis for the ensuing legislation – the Public Health (Alcohol) Act 2018, the first legislation in Ireland to take a public health approach to alcohol controls. The modest measures are based on the World Health Organisation's 'Best Buys' on reducing harm from alcohol – controls on price, marketing and availability.

A key recommendation was that alcohol sports sponsorship should be phased out by 2016. However, following ferocious lobbying efforts this recommendation was diluted down to merely a ban on sponsorship of children's events and motor sports. The legislation also included very modest restrictions on the placement of alcohol advertisement during sports events – these are now banned on the field of play. However, alcohol advertisements can still appear on numerous other areas such as on hoardings around the pitch and on players clothing. This restriction became operational from November 2021. Since then, there has been extensive use of zero-alcohol product marketing on field using identical branding to the parent alcohol brand – for example during the Rugby Six Nations Championship.

Research into such brand sharing indicates that this shared design successfully increases young people's brand familiarity and affected their brand recognition and brand awareness. Similar efforts to circumvent advertising bans are seen in France using an approach termed 'alibi marketing' where essential features of the brand such as colour, typeface, language are used – for example, Greatness for Guinness, H-Cup for Heineken Cup.

## Rationale for alcohol sport sponsorship ban

Alcohol sport sponsorship should be prohibited as part of comprehensive restrictions on all alcohol marketing. Sponsorship is an extremely powerful way to influence attitudes and behaviours towards alcohol. The use of sport to promote an addictive and health-harming product is entirely inappropriate, implying as it does that alcohol is compatible with a healthy lifestyle.

It is well established that exposure to alcohol marketing is causally associated with the initiation of drinking, an increase in alcohol consumption (including binge drinking), and is also thought to lead to an increased risk of relapse (for those in recovery).

Alcohol companies invest billions every year in marketing, aiming to increase the consumption of their products, often through the targeting of heavy drinkers and recruitment of new drinkers.

Alcohol Action Ireland, in partnership with the Institute of Alcohol Studies (London) and Scottish Health Action on Alcohol Problems – SHAAP published a frequency analysis study into alcohol marketing during the 2020 Six Nations Rugby Championship.

The findings reveal the extraordinary frequency of viewers' exposure to alcohol promotion during a typical match broadcast.

During the broadcast of Ireland's home match against Wales, viewers were targeted with 754 alcohol promotion messages – one every 15 seconds; against Scotland it was 690 – one every 16 seconds. Over 50% of these references came within the sporting area, and during actual game time.

In Ireland, statistics from the Broadcasting Authority of Ireland show that Diageo is the number 4 advertiser to children in Ireland and 7 out of the top 10 programmes watched by children are big sporting occasions. It is very likely the same can be said for Scottish children. Marketing gurus have called rugby 'a key drinking occasion' where integrated marketing campaigns are devised and delivered to increase alcohol sales and exposure to the brands in question.

AAI's strong recommendation to the Scottish Government is to introduce legislation which prohibits alcohol sponsorship of sport and that the restrictions must be broad and robust. Alcohol sponsorship takes many forms, and legislation to prohibit this must cover the whole spectrum of marketing and sponsorship, including alibi marketing and brand extension via no and low alcohol products. Failure to cover all marketing activities associated with sponsorship may result in displacement of activities which continue to drive alcohol sales and consumption.

An independent monitoring and enforcement programme should complement the introduction of restrictions

### **If alcohol sponsorship for sports was to be prohibited, what types of marketing do you think should be covered by a prohibition?**

Alcohol marketing and sports sponsorship is extremely influential and there is a direct relationship between exposure to alcohol marketing and the regularity and amount of alcohol consumed by individuals. AAI supports SHAAP's call for a total ban of all forms of alcohol sports sponsorship. Alcohol sponsorship of sports teams can be presented in a variety of ways, including:

- Alcohol brands and logos on match and training strips
- Advertising inside and outside of stadiums
- Exclusive 'pourage rights' inside and outside of stadiums
- Limited edition products featuring names of teams
- Social media activity
- Partnership activity promoting brands via visits to breweries and distilleries
- Competition tie-ins
- Players, managers, or coaches featuring in brand adverts and social media posts
- The naming of stadiums and cups/leagues

In order for restrictions to be implemented as a successful public health measure, a blanket ban on all forms of alcohol marketing through sports sponsorship must be put in place.

Learning from Ireland's experience, Scotland must see that loopholes and exemptions in legislation will be exploited by the alcohol industry to continue to raise brand awareness and salience – driving sales, consumption, and harms.

### **What, if any, sporting activities or events do you think should be excepted from a prohibition on alcohol sports sponsorship, and why**

None – see information given above

If any exceptions were made, we know from international experience that these would be exploited in any way possible to continue promoting alcohol brands.

## Do you think we should prohibit alcohol events sponsorship in Scotland?

Yes

Alcohol marketing through events and experiences is extremely effective in reaching customers through brand association. Alcohol sponsorship of cultural and music events helps to send the message that alcohol consumption is both normal and necessary to enjoy them.

The sponsorship of events, such as music events, cultural events and festivals, is another example of mass marketing which reinforces alcohol brand awareness, and exposure.

## If alcohol events sponsorship were to be prohibited, what types of marketing do you think should be covered by a prohibition?

A total ban would be most efficacious in ensuring that vulnerable groups such as young people and individuals in recovery are prevented from exposure to alcohol marketing – which is evidenced to cause initiation of drinking and influence how much and how often individuals consume alcohol. AAI supports SHAAP's recommendation for a prohibition of both in-person and virtual sponsorship of events taking place in Scotland. Virtual sponsorship provides alcohol companies with the opportunity to reach an even larger audience, particularly through the use of social media and personalised promotions.

## What, if any, events do you think should be excepted from a prohibition on alcohol events sponsorship, and why

There should be no exceptions to these restrictions. Comprehensive and clear bans are far more effective. They are also easier to implement than partial or unclear ones.

## If alcohol sponsorship restrictions are introduced, do you think there should be a lead-in time for these? How long might this be and how would it work?

A 'phase out' period of 2-3 years would be appropriate to allow time for alternative sponsors to be found.

## Outdoor and public spaces marketing

Do you think we should prohibit alcohol marketing outdoors, including on vehicles, and in public spaces in Scotland?

Yes

The marketing of harmful products such as alcohol in public spaces normalises the place of these products in everyday life and drives their consumption. Children's exposure to alcohol marketing is positively associated with earlier onset of alcohol consumption and also hazardous drinking.

Outdoor and public space marketing reaches extremely high volumes of individuals, and does not discern between its target audiences – resulting in widespread exposure to vulnerable groups such as children and individuals in recovery. Children's exposure to alcohol marketing in outdoor and public spaces may influence their consumption of alcohol and affect decisions and health into adulthood. Given that for individuals there is no possibility of 'turning off' such advertisements as might be argued in relation to TV or internet advertisements it is particularly important that there is a comprehensive ban on outdoor marketing.

Advertising restrictions in public spaces have been successful in reducing the consumption of other unhealthy products. For example, a ban on the advertising of foods high in fat, sugar and salt on the London transport network was associated with significant reductions in energy, sugar and fat purchased from such products.

In 2019, Ireland introduced the Public Health (Alcohol Act), which prohibits the advertisement of alcohol in outdoor spaces near to youth-oriented environments and on public transport - as a measure to reduce alcohol consumption and harms. An evaluation of restrictions found that, within a year of implementation, these measures resulted in some reduced awareness of alcohol marketing activity on public transport and on posters and billboards. It should be noted though that the original recommendation in Ireland was to have a complete ban on outdoor advertising of alcohol and this was watered down to a ban on adverts within 200 metres. While this is better than no restrictions it implies that children only see adverts close to their schools, playgrounds etc. This is clearly not the case as few children live within 200 metres of their schools. A more effective approach would be to have a complete ban on outdoor advertising of alcohol brands.

What do you think should be covered by a prohibition on alcohol marketing outdoors, on vehicles and in public spaces?

AAI urges the Scottish Government to introduce legislation which prohibits all forms of alcohol marketing in public spaces and outdoors, including: public transport, billboards, marketing on vehicles, etc. Scotland should learn from the Irish experience in this regard. Ireland under the Public Health Alcohol Act banned advertising of alcohol on public transport, in public sports grounds, public parks, billboards, near schools, and in many other settings. Immediately after these legal mechanisms came into force ... adverts in these areas were replaced by adverts for zero alcohol products with identical branding to their parent alcohol brand. Given that such products are acknowledged as being unsuitable for children they should be included in any alcohol marketing restrictions.

What, if any, exceptions do you think there should be to prohibiting alcohol marketing outdoors, including on vehicles, and in public spaces in Scotland? Why?

There should be no exceptions; full and complete restrictions are more effective in reducing exposure. Any exemptions may be exploited by the alcohol industry to transfer resource and may result in the exposure of vulnerable groups to alcohol marketing

Do you think that we should further restrict the visibility of alcohol in retail environment?

A large body of evidence exists which highlights a causal relationship between in-store alcohol marketing, strategic product placement, and alcohol purchase and consumption. Exposure to alcohol marketing in a retail environment is particularly problematic for vulnerable groups, such as children and individuals in recovery. Widespread visibility of alcohol in the retail environment normalises alcohol as part of a weekly shop for children and may influence alcohol consumption later in life. Alcohol is not an ordinary commodity, and this should be reflected in the retail environment. Individuals should not have to pass through or by the alcohol area in order to access other products.

The Scottish Government should introduce legislation to structurally separate alcohol within retail environments as a public health measure to: decrease the normalisation of alcohol as part of a retail experience, discourage impulse buying, and to protecting vulnerable individuals from exposure to alcohol marketing. Ireland has already implemented public health measures to limit the visibility and ease of access to alcohol in stores.

Despite scaremongering from industry about the cost of this measure the transition to this has been smooth and its operation provides a more family friendly retail environment that means impulse purchases are offset and vulnerable groups are not triggered as they shop. It also protects children from alcohol marketing.

## **Do you think we should consider structural separation of alcohol in Scotland to reduce the visibility of alcohol in off-trade settings (e.g. supermarkets)?**

Alcohol is no ordinary product and therefore should not be treated as such. Scotland should learn from the Irish model of structural separation of alcohol products in retail, as legislated through the Public Health (Alcohol) Act 2018 and implemented in late 2020. We agree with SHAAP that alcohol should similarly be separated exclusively into a single area of a store, where alcohol products and alcohol advertisements are covered from view outside of this area. These 'alcohol areas' should be separated from the rest of the retail environment by a barrier. This should be the only area where alcohol advertisement and products can be placed within the retail environment. This would mean that individuals would have to intentionally access this area and that alcohol is only visible to those intending to purchase alcohol. Customers should not have to pass through the area in order to reach other parts of the shop or the till.

Alcohol products and advertisements for alcohol products should not be visible outside of these designated areas.

Again, Scotland should learn from the experience in Ireland in relation to zero-alcohol products. These are available outside the alcohol zone and are highly visible. Many of these products use shared branding with their alcohol parent brand. These products are not suitable for purchase by children something which is acknowledged by the alcohol industry. Hence, they should be subject to the same sales and marketing restrictions as alcohol products.

## **How do you think structural separation of alcohol in Scotland could operate? (e.g. with barriers, closed display cases)**

The display and promotion of alcoholic drinks in mixed retail environments should be limited to a designated area separated from the rest of the store by an appropriate physical barrier through which the alcohol display area should not be visible. For smaller shops, where options such as separate alcohol areas may be impractical, alcohol could be kept behind the counter but should be concealed, as is the case with tobacco products. Alcohol should not be visible from outside the shop; this means for example, that it should not be located within, or visible from, windows.

Do you think that we should prohibit the sale of alcohol branded merchandise in Scotland?

The sale of alcohol-branded merchandise should be prohibited in Scotland as part of comprehensive restrictions on alcohol marketing.

Brand sharing through products outside of alcoholic drinks (such as branded glasses, clothing, and accessories) is a common and successful technique used by the alcohol industry to convey their messaging, logo, insignia, etc to raise brand awareness.

Research indicates that such brand connotations have a particularly strong and engaging influence on adolescents. Multiple studies have established associations between alcohol branded merchandise and adolescent hazardous drinking. Alcohol-branded merchandise has a longer lasting interaction than other forms of alcohol marketing and therefore has the potential to become more integrated into the self-identity of adolescents, influencing their decisions around alcohol.

Do you think that we should prohibit the free distribution of alcohol branded merchandise in Scotland?

Yes, for the reasons as stated in previous answer

What, if any, exceptions do you think should there be to prohibiting the sale or distribution of alcohol branded merchandise?

There should be no exceptions.

What, if any, other restrictions do you think should be considered on the use of alcohol brands on non-alcohol products?

It is crucial that alcohol marketing restrictions explicitly include all forms of brand marketing. Alcohol marketing does not need to directly promote an alcoholic product to be successful in achieving its aims. For action on alcohol marketing to be fully effective, legislation must be framed sufficiently broadly to capture both marketing of specific alcohol products and all forms of brand marketing. This includes brand-sharing, where non-alcoholic products (eg. sauces, ice cream) and services are used to promote the brand.

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**Do you think that any potential alcohol marketing restrictions should apply to low or no alcoholic drinks products, where these carry the same brand name, or identifiable brand markings, as alcoholic drinks?**

Yes

Given the recent growth in no and low alcohol products which brand-share with alcoholic drinks, this is an area of particular concern and should be included within the parameters of the restrictions. People find it difficult to differentiate between alcohol-free and alcoholic products of alcohol brands due to the similarity of the branding.

Alcohol companies are really pushing the boundaries, with campaigns portraying zero alcohol drinks as something to drink in addition to alcohol rather than as a substitute – and in situations where it is illegal or dangerous to drink alcohol. This constant brand exposure for big alcohol companies works in their favour on all counts– it makes them appear to be conscientious actors who care about our health and allows them to advertise in restricted areas.

Brand sharing means that children who see people drinking what appears to them to be alcohol – because of the same branding – will at a young age be conditioned to think differently about when and where it is appropriate to drink alcohol. This will normalise drinking at every occasion – from the gym to the road to the waterways. The switch from zero to alcohol will be much more seamless in this scenario, but much more dangerous too given the settings in question.

It is essential that restrictions cover products that feature identifiable alcohol brand markings, even where they do not feature a brand name.

**Do you think that we should prohibit advertising of alcohol in newspapers and magazines produced in Scotland?**

The Scottish government should implement a full ban on the advertisement of alcohol in print publications, which we know are heavily consumed as a key source of current affairs by people in Scotland and expose vulnerable groups such as children and individuals in recovery to alcohol marketing. A ban on all forms of alcohol marketing in print media is necessary as part of a comprehensive approach

## What, if any, exceptions do you think there should be to prohibiting alcohol advertising in newspapers and magazines produced in Scotland?

The only exceptions should be for business-to-business publications.

## Do you think we should restrict alcohol branded social media channels and websites in Scotland?

As part of comprehensive restrictions on alcohol marketing, all digital alcohol marketing should be restricted. Owned media should be covered by these restrictions. In practice, this would mean that alcohol brands would be prohibited from owning social media channels, such as Instagram, Facebook, Snapchat or Twitter, or from being promoted through the social media of their owner companies. This would prevent them from promoting their brand online, while maintaining the ability to sell their products through their websites. Comprehensive research now clearly tells us that alcohol marketing including advertising, sponsorship and other forms of promotion, increases the likelihood that adolescents will start to use alcohol, and to drink more if they are already using alcohol. Online marketing is particularly concerning because of its capacity to closely target individuals based on multiple factors including age, gender, interests. In addition, individuals become part of the marketing exercise eg through sharing posts, involvement in games and activities and become deeply embedded in the brand.

The United Nations Committee on the Rights of the Child (UNCRC) is urging states to take a vigorous stance against the exposure of children to digital marketing of unhealthy products, such as alcohol and junk foods and recommends that state parties have appropriate independent institutions to monitor children's rights in the digital environment.

This issue is all the more pressing given a stark warning from a World Health Organization report which noted that: "Alcohol marketing is adapting to new realities faster than current legal regulations across the Region, with industry using opportunities offered by digital platforms to sell their products in a largely unregulated market" and comments on "the targeting of consumers including children and adolescents to promote drinking. Alcohol marketing is ubiquitous online – brands and products are marketed to us when we go online to speak to our friends, through our social media accounts, when we shop online, when we watch videos and TV online, etc. It is yet another element of life where the reminder of alcohol is inescapable. Further to this, individuals are often presented with the ability to purchase alcohol in a few simple steps. Online purchasing of alcohol has become increasingly popular in recent years, with one in five people in the UK now purchasing alcohol online. Commercial techniques include the use of alcohol marketing on alcohol brands' own channels, or adverts on external channels - such as through social media, video-sharing platforms, search engines, or paid partnerships (usually with prominent figures or social media influencers). We know that exposure to online alcohol marketing influences children's drinking decisions and makes them more likely to consume alcohol, and this simply must come to an end.

## **What, if any, exceptions do you think there should be to prohibiting alcohol branded social media channels and websites in Scotland?**

No exceptions to this and that a total blanket ban is necessary to protect individuals, and children in particular from alcohol marketing exposure on social media.

### **Do you think we should restrict paid alcohol advertising online in Scotland?**

Studies consistently report that participation and engagement with digital alcohol marketing - such as clicking on an alcohol ad, visiting an alcohol-branded website, liking or sharing an ad on social media, or downloading alcohol-branded content - is positively associated with alcohol use for adolescents and young adults.

A high proportion of paid alcohol advertising is data-driven, targeting customers with personalised promotions which are aimed to be as appealing as possible in order to trigger sales and consumption of alcohol. This is a human rights-based issue and an invasion of privacy.

The current system, an industry-led self-regulatory system, fails to protect children from alcohol advertisement online. Despite the fact that regulations say that alcohol advertisement should not be directly targeted towards children, this is very easily circumvented and means that huge numbers of children are exposed to alcohol promotion which we know influences drinking decisions.

Adverts are personalised to optimise the attractiveness of products, making them extremely harmful for individuals in recovery. Optimisation includes promoting alcohol products at specific time and specific places, as well as pushing specific products.

Additionally, as highlighted in our answer to the social media question below, paid advertisement through celebrities and social media influencers is particularly powerful and growing.

### **What types of paid alcohol advertising online do you think should be covered by any restrictions?**

All types.

This should explicitly include influencer marketing. The financial relationships between brands and influencers has become less transparent, such as where items are 'gifted' with an expectation of exposure in return. We recommend that legislation explicitly restricts alcohol brand owners from providing free products or services to online celebrities and influencers.

**Do you think we should restrict alcohol companies from sharing promotional content on social media (e.g. filters, videos or posts) - whether this is produced by them or by consumers?**

Yes.

Alcohol companies share content with the intent to promote sales of their products and to raise brand salience, awareness and loyalty. Promotional content on social media is specifically designed to appeal to existing customers and to recruit new customers.

Social media has become one of the most popular platforms in alcohol marketing, reaching a large group of people, often minors and young people, all over the world.

A recent study by YesMore has revealed that several Big Alcohol companies are among Instagram's fastest growing brands. Use of partnerships, advanced, travel-themed giveaways and consistent posting were the most prominently used strategies for rapid growth by the identified alcohol brands.

The report highlighted how strategies such as influencer partnerships, doing photoshoots that show the alcohol brand with trendy foods, and giveaways.

The use of partnerships, especially where content is linked to relevant food trends, advanced, travel-themed giveaways and consistent posting are the factors for the growth of alcohol brands on Instagram.

**What, if any, exceptions do you think there should be from restricting alcohol companies from sharing promotional content on social media (e.g. filters, videos or posts) - whether this is produced by them or by consumers?**

There should be no exceptions.

**Do you think we should explore prohibiting alcohol advertising on television and radio completely (e.g. like Norway or Sweden)?**

Yes.

AAI has serious concerns around the issue of alcohol product placement and sponsorship of programmes. As regulations around where and when alcohol advertisers can run ads tighten, the industry is continually seeking new opportunities to get around any rules put in place.

Product placement and sponsorship of popular programmes are strategies the alcohol industry is using to normalize alcohol use in society and to drive sales.

A study analysing UK TV shows in 2015 found very high levels of prevalence of alcohol product placement on the popular shows. An analysis of almost 3,000 minutes of national TV revealed that just one in 20 characters' drinks were a glass of water, while more than a third were alcoholic beverages.

Over two one-week periods, soap operas were found to dedicate 39% of "drinks screen time" to alcohol, with sitcoms giving 25%, dramas 34%, and The Archers radio show 44%.

It is likely that research in an Irish context would yield similar results.

In respect of sponsorship, it is concerning that in Ireland the national TV station, RTE, allows alcohol brands to sponsor programmes and create marketing campaigns that sees alcohol brands expand their sponsorship reach across other RTE platforms, i.e. the RTE guide and website.

The Cassillero Del Diablo sponsorship of the popular programme Normal People was particularly insidious, ie increasing wine ads during COVID when lockdown was at its height and home drinking and domestic abuse was spiking, as evidenced by the words of the brand itself- "In the early days of Covid19 TV played a hugely important role in keeping people informed and entertained. With TV being the most trusted medium we identified the opportunity to bring forward our plans and maximise TVs potential during the lockdown."

**Do you think we should introduce a watershed for alcohol advertising on TV and radio (e.g. like Ireland)?**

We strongly recommend that the Scottish Government introduce a comprehensive ban on alcohol marketing because this would offer the greatest protection to people by preventing exposure to marketing in the first place. A watershed for alcohol advertising would only become relevant in the event that comprehensive restrictions were not put in place. In Ireland, Poll findings indicate overwhelming public support for action to curb alcohol advertising. Yet the government of the day still has not implemented a modest daytime ban on alcohol advertising more than four years after it was mandated. We are also seeing alcohol brands begin to advertise zero alcohol products in advance of this measure coming into force. It is widely known and openly admitted that alcohol producers are marketing zero alcohol products in response to alcohol advertising regulations.

This will render such restrictions essentially meaningless as branding and logos on zero ads are the same as for regular alcohol and so will have the same negative impacts on children. This once again reinforces the need for a full ban.

**Do you think alcohol advertising should be restricted in cinemas?**

Cinema is a powerful advertising medium, uniquely offering a captive audience that consciously processes marketing messages. With going to the cinema the most popular leisure activity in Scotland, millions of people, including children, are exposed to harmful alcohol marketing messages, establishing and reinforcing the connection between alcohol brands and leisure activity. Alcohol advertising in cinemas should be restricted as part of comprehensive restrictions on alcohol marketing.

As a minimum, alcohol advertisement should be restricted to 18-certificate films.

**If alcohol advertising was restricted in cinemas, what, if any exceptions (e.g. products in scope, times of day, or specific movie ratings) do you think should be considered?**

There should be no exceptions to alcohol advertising restrictions in cinemas. Restricting alcohol advertising e.g. to specific movie ratings would not provide adequate protection to the general population or people with or in recovery from alcohol problems, for whom the intrusive nature of cinema advertising presents unique risks.

**Do you think that the content of alcohol marketing in Scotland should be restricted to more factual elements?**

We strongly recommend that the Scottish Government introduce a comprehensive ban on alcohol marketing because this would offer the greatest protection to people by preventing exposure to marketing in the first place.

Content restrictions would only become relevant in the event that comprehensive restrictions were not put in place. They would offer a much more limited protection by seeking to reduce the appeal and salience of any marketing that might be permitted.

As we are learning in Ireland, anything but a complete ban allows the alcohol industry to continually evolve its marketing to get around any restrictions put in place.

**Do you think we should only allow alcohol marketing to include elements set out in a list, like in Estonia? This would mean all other elements not on the list would be banned from adverts.**

We strongly recommend that the Scottish Government introduce a comprehensive ban on alcohol marketing. Content restrictions would only become relevant in the event that comprehensive restrictions were not put in place.

**Do you think that content restrictions, like the Estonia model, should be applied to all types of alcohol marketing?**

Yes

**How do you think that any future alcohol marketing restrictions in Scotland should be monitored and enforced?**

Evidence proves that when the alcohol industry is in control of monitoring and enforcement, it continuously fails to remove marketing of alcohol which has been highlighted as non-compliant.

The Scottish Government should implement systematic and regular monitoring and enforcement of statutory restrictions by an independent body or government agency, with powers to impose robust sanctions for non-compliance.

Responsibility for monitoring and enforcement should be allocated to an independent body or governmental agency with the authority to enforce strong sanctions and penalties for non-compliance. The World Health Organization emphasises the vital role of monitoring and enforcement systems in realising efficacy of marketing restrictions. Sufficient resources must also be allocated in order for these processes to function.

### **Do you think that Scottish Government should require the alcohol industry to provide information and data on alcohol marketing campaigns in Scotland?**

The alcohol industry should be legally required to provide information and data on marketing campaigns. This is an essential component in monitoring the impact of alcohol marketing upon alcohol consumption and harms, and in evaluating the impact that any future restrictions have.

Data and information provided should include funds allocated to marketing campaigns, and specific aims of the campaign - including where and how consumers will be targeted along with details of sales. After all, the purpose of alcohol marketing is to increase sales and consumption.

AAI has noted the growing cross platform immersive and integrated ad campaigns that are increasingly the norm. As regulations around where and when alcohol advertisers can run ads tighten, the industry is continually seeking new opportunities to get around any rules put in place.

Product placement and sponsorship of popular programmes are strategies the alcohol industry is using to normalize alcohol use in society and to drive sales.

A study analysing UK TV shows in 2015 found very high levels of prevalence of alcohol product placement on the popular shows. An analysis of almost 3,000 minutes of national TV revealed that just one in 20 characters' drinks were a glass of water, while more than a third were alcoholic beverages.

Over two one-week periods, soap operas were found to dedicate 39% of "drinks screen time" to alcohol, with sitcoms giving 25%, dramas 34%, and The Archers radio show 44%.

### **Do you think that Scottish Government should require the alcohol industry to provide local alcohol sales data in Scotland?**

The alcohol industry should be legally required to share their knowledge of sales volumes and patterns to help to reduce alcohol harms. Both alcohol producers and sellers should provide such sales data. AAI believes that disclosure of the level of annual alcohol sales should be a condition of licensing. Equally there should be statutory monitoring of alcohol harms such as assaults, public order offences, ambulance call outs, admissions to emergency departments. This would provide key information as to the impact of alcohol control measures.

**Do you think the Scottish Government should look to introduce a comprehensive package of restrictions across a number of marketing channels? If so, what do you think this package should include?**

Yes

Scotland must introduce a comprehensive package of restrictions on alcohol marketing across a variety of channels, including: sports sponsorship, in-store marketing, and outdoor/public spaces as a vital public health measure.

We are constantly bombarded by alcohol advertisements and promotions in our daily lives: on public transport, billboards, in our outdoor and public spaces, when we attend events and sports games, through TV and radio, and when we go online.

The long-standing recommendation of the World Health Organization (WHO) is for comprehensive restrictions on alcohol marketing. According to WHO, this is an impactful and cost-effective approach which will help protect children, adolescents, people in recovery and abstainers from the pressure to drink as well as disrupting the industry's ability to create and maintain social norms that encourage high levels of alcohol use in the population more generally.

**What, if any, additional alcohol marketing methods or channels not covered in the consultation would you like Scottish Government to consider restricting?**

The Scottish Government should consider implementing legislation around the labelling of alcoholic products. It should be noted that the alcohol industry consider their product labels an essential part of the marketing of their brands.

AAI would recommend consideration of legislation to implement mandatory health warnings on alcoholic products, as is currently underway in Ireland. At present alcohol product labelling lacks even the most basic information about the ingredient content of the product and energy value – something which is included in every other consumable product. However, most importantly consumers have a right to know the considerable risks of this product including pregnancy risks, cancer, liver disease, mental ill health and addiction.

This is strongly recommended by the World Health Organisation as noted in January 2023 [publication](#) in the Lancet.

**What further evidence on alcohol marketing you would you like the Scottish Government to consider?**

Alcohol is no ordinary commodity, and is quite different from everything else sold in retail. It is psychoactive, dependence-producing, and intoxicating. It is a carcinogenic, neurotoxic and teratogenic substance.

Evidence on the impact of alcohol marketing on drinking behaviours, and in turn, alcohol-related harm, provides a clear rationale for the introduction of comprehensive restrictions. Most significantly, exposure to alcohol marketing is causally linked to consumption. Critical appraisals of alcohol marketing campaigns show that promotional activity by alcohol companies not only enables brands to retain customers and to facilitate switching between brands or products, but also serves to recruit new drinkers and increase consumption.

Equally there is good evidence that when alcohol marketing is restricted, alcohol use is reduced and with it alcohol harms. Significant bans have been introduced in multiple countries such as Norway, France, Iceland, Lithuania. Just some of the findings from such include:

- In Norway, the evidence indicates that its legislation banning alcohol advertising resulted in a 7.4% reduction in alcohol sales.
- In Lithuania, marketing restrictions are deemed responsible for a decline in alcohol-related mortality.

What is also clear is that as more jurisdictions are introducing alcohol marketing restrictions, each learns from others.

It is also important to note that in countries with comprehensive alcohol marketing bans their economies are thriving. There has been no collapse in the tourist industry despite the hysterical claims of the alcohol industry. Sports continue to be played and enjoyed.

In fact, evidence from the OECD suggests that alcohol is responsible for a considerable negative impact on the economic performance of a country. For example, the OECD has reported that if no changes are made to alcohol control policies, Ireland's GDP is estimated to be 1.9% lower on average between now and 2050, excluding any impact on the alcohol industry. Due to a lower GDP, and to maintain a constant public debt-to-GDP ratio, Ireland has to raise additional revenues equivalent to an increase in tax of €464 per person per year. The OECD recommended that Ireland should strengthen its alcohol marketing regulations particularly in relation to the targeting of young people. It is likely that with a similar population and alcohol use patterns that the same would apply to Scotland.

The Scottish Government should consider alcohol-related harm from alcohol marketing as a major human rights concern and its legally binding obligations to respect, protect and fulfil people's rights. As well as harming the right to health and the right to life, survival and development, alcohol marketing also undermines people's rights to privacy and to be free from exploitation. The UN Convention on the Rights of the Child recognises that children, including adolescents, are a vulnerable group requiring special protection. Evidence demonstrates that the impact of alcohol marketing threatens to undermine a wide range of children's rights, including their rights to life, survival and development, to the enjoyment of the highest attainable standard of health, to privacy, and to be free from exploitation.

The United Nations Committee on the Rights of the Child (UNCRC), new General Comment pertaining to the rights of the child in relation to the digital environment states that "States parties should prohibit by law the profiling or targeting of children of any age for commercial purposes on the basis of a digital record of their actual or inferred characteristics, including group or collective data, targeting by association or affinity."

**Are there any relevant equality issues that Scottish Government should be considering at this stage in the policy development?**

Alcohol harm is not equally experienced in society. Population measures that aim to reduce the overall consumption of alcohol will therefore have the most benefit for the most disadvantaged people in society.

