

FACT SHEET

Alcohol marketing regulations in Europe: How effective are they?

Latest revision June 15, 2011

Key points

- Effective alcohol marketing regulations are an essential control measure in a comprehensive alcohol policy that aims to decrease alcohol-related harm and to protect young people.
- Effective alcohol marketing regulations are recommended to restrict the volume of alcohol marketing practices to protect harmful exposure to alcohol advertising among young people.
- When alcohol marketing practices are allowed, also content restrictions are recommended to allow alcohol advertisements that contain solely product information.
- Volume and content restrictions are only effective when a strong regulatory system supports the enforcement of the regulation.
- Alcohol marketing regulations in France and Norway can be seen as best practices in Europe: here strong volume or content restrictions go together with a strong supportive regulation system.
- Legislation is significantly more effective than self-regulation systems in ensuring the combination between strong restrictions and an effective supporting system.

Introduction

Alcohol is no ordinary commodity and its use has been associated with significant harm to both individuals and society (1, 2). Scientific proof that suggest that alcohol marketing may play an important role in these issues is mounting (3-6). To prevent alcohol related harm an effective alcohol policy is necessary. Effective regulations on alcohol marketing can contribute substantially to such a policy (1). Moreover, the most recent draft of the European Action Plan on Alcohol by the WHO (7) recommends to install a total ban on alcohol advertising.

In practice regulations can be embedded by law, by voluntary codes of conduct of a company or a sector (self regulation), or by a combination of state and non-state regulation (co-regulation). At the moment, a large variety of both content and volume restrictions on alcohol marketing are in place in European countries. These regulations have many variations in terms of content and

administrative requirements regarding the advertising of alcoholic beverages (8).

Developing a tool to measure effectiveness of regulations

There is hardly any systematic research available on the effectiveness of existing alcohol marketing regulations in Europe (9). De Bruijn et al. (10) recently made a first attempt to create a theoretical framework that can formulate criteria to evaluate the effectiveness of existing alcohol marketing regulations. They have created a tool to examine interventions' by identifying evidence-based criteria to evaluate the potential effectiveness of alcohol marketing regulations. The degree to which the regulations were expected to protect minors against harmful exposure to alcohol marketing was the key point of departure for this evaluation.

To identify evidence-based criteria the researchers conducted a comprehensive literature review and studied 110 articles. From this de Bruijn and Van den Broeck (11) concluded that to be effective, an alcohol marketing policy should at least consist of the effective implementations of volume restrictions, content restrictions and a supporting regulatory system.

Volume restrictions

Volume restrictions target the quantity or location of alcohol advertisements and therefore protect against the cumulative effect of marketing campaigns that often reach consumers by several sources (12). There are different ways in which the volume of alcohol marketing can be partly restricted. Examples of this are bans on the marketing of certain products (e.g. prohibition of spirits advertising), media restrictions (e.g. no print advertising), time-period restrictions (e.g. no television advertising between 6am and 9pm) and location and target group restrictions (e.g. no alcohol advertising allowed when more than 25% of the audience is expected to be a minor).

Enforcing volume restrictions is expected to decrease the total volume of alcohol advertisements that young people are

exposed to, and is consequently expected to decrease the total alcohol consumption among adolescents. This only occurs when the bans proposed are not merely symbolic policies but contribute substantially to the reduction of the total volume of alcohol advertising to which adolescents are exposed (12, 13), and no significant substitution effects arise (14). To ensure the effectiveness and prevent certain disadvantages De Bruijn and Van den Broeck advise to implement an overall ban on alcohol advertising (11). However, they also point to possible side effects such as a price decrease of alcoholic beverages, which in turn could increase total alcohol consumption (9).

Content restrictions

Exposure to alcohol marketing that young people perceive as appealing, increases adolescents' intention of alcohol consumption and affects the actual drinking behavior of youngsters (15, 16). Therefore, limiting exposure to attractive advertisements is an important alcohol marketing restriction. Critics believe that the present guidelines on advertising of harmful products such as alcohol, are too vague to be useful, and generally ineffective (8, 12).

The enforcement of content restrictions may lead to certain problems. For example, all elements that are appealing to young people should be banned, but what exactly are these elements (12, 17-19)? What if these elements are also attractive to adults (20)? To overcome such discussions the enforcement should only allow alcohol advertisements that contain solely product information (21).

The supporting regulatory system

While volume and content restrictions can protect young people against the harmful effects of alcohol advertising, these measures on their own are not sufficient. The effectiveness of alcohol marketing regulations depends as much on the system that supports these restrictions as on the restrictions themselves.

Criteria for an effective regulation system are:

-A supporting legal context on the national and supra-national level, which prevents conflicting regulations (22-25) and a legal backstop to support the enforcement of the restrictions (12) should be present.

-Commitment of all relevant stakeholders is needed to increase the support and adherence of the restrictions (26-30). This includes policymakers, civil society, public health advocates and consumer

representatives as well as industry related stakeholders.

-An effective complaint system should be easily accessible to the public (26).

-Evaluation of advertisements should be conducted by an independent advertising committee (26, 28) which aims to protect both consumers and public health (31). This committee has to consist of parties who are independent from commercial interests (32, 33).

-A mandatory pre-screening system for ads should exist. Adherence to existing regulations is increased by a binding pre-screening system, since it reduces the chance that a clearly misleading, or deceptive marketing practice that is targeting children will ever be seen (12, 32).

-Sanctions should be effective (28, 29, 34). Sanctions that are expected to be most effective are withdrawing broadcasting rights and substantial financial penalties (29). Sanctions that are expected to be less effective are negative publicity or voluntary action (26).

-Alcohol advertisements should be monitored systematically and routinely by a body independent from commercial interests (32, 35, 36). Furthermore, the monitoring should cover volume as well as content aspects of alcohol marketing, and traditional as well as new media (30).

-An alcohol marketing code should include all types of marketing tools (12, 29), including traditional and new media. Alcohol marketing regulations should be flexible and updated frequently to make it possible to respond to the latest developments (37).

Evaluation of the regulations

With the above mentioned criteria in hand the regulations from 21 countries have been analyzed by the use of a questionnaire about national alcohol marketing regulations which was filled in by experts in the 21 countries. The questionnaire included questions about the original text of the articles mentioned in the regulations, questions about the coverage of marketing channels that are addressed in the regulations, and questions about the supporting regulatory system. All aspects were weighted equally which led to an overall score for each regulation on the three identified dimensions (effectiveness content restrictions, volume restrictions and supporting regulatory system).

A total of 68 alcohol marketing regulations have been evaluated in the sampled 21 European countries. From these 68 regulations, a majority of 42 regulations were embedded by law. The other 26 regulations consisted of self regulation codes.

The analysis of De Bruijn and Van den Broeck shows, that when testing the effectiveness of content restrictions embedded by law versus those found in self regulation codes, content restrictions embedded by law have significantly more evidence-based aspects than content restrictions in self regulation. Supporting systems embedded by law also have significantly more evidence-based aspects than self regulated supportive systems. When testing the effectiveness of volume aspects in both regulatory systems, no significant difference between volume restrictions in law and self-regulation codes were found. However, 13 codes deal with volume restriction stipulating: "Marketing communications must not be directed at people under 18 through the selection of media or the context in which they appear. No medium should be used to advertise alcoholic drinks if more than 25% of its audience is under 18 years of age."

Because this 25% criterion weighed relatively heavily in their initial analyses compared to its actual effectiveness, the analyses were rerun, without it. Without the 25% element, the volume restrictions by law contained significantly more effective aspects than the volume restrictions in self regulation.

A broad variety in expected effectiveness of content and volume restrictions and strength of the existing supporting systems in Europe has been found. Content restrictions are found to be often embedded in self regulation while volume restrictions are mostly regulated by law. Alcohol marketing regulations with more evidence-based aspects are considered to reflect stronger restrictions and/or supporting systems. These stronger regulations are expected to be more effective in protecting young people against harmful exposure to alcohol marketing.

Figure 1 shows the mean strength of the content restrictions in relation to strength of the supporting system. The most effective supporting systems are found in countries with the strongest volume and content restrictions. This implies that when policy makers create stringent restrictions on alcohol marketing, they do not only pay attention to the restrictions themselves but also to the possibilities for compliance and enforcement. Moreover, figure 1 shows that in those 'strong' regulations the supporting system of law embedded regulations is clearly better than those regulated by self regulation. However, not much difference is found between legislation and self-regulation with 'weak' content restrictions.

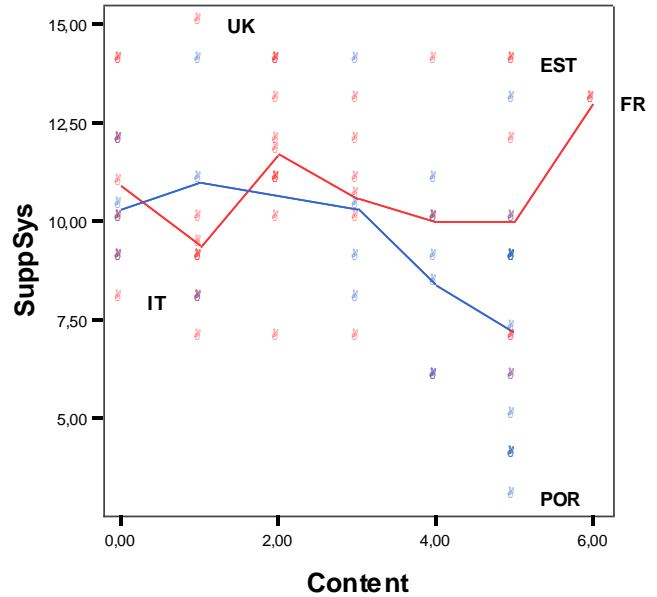


Figure 1. The blue line shows the mean strength of self-regulation codes on each dimension, whereas the red line shows the mean strength of alcohol marketing laws for all sampled European countries.

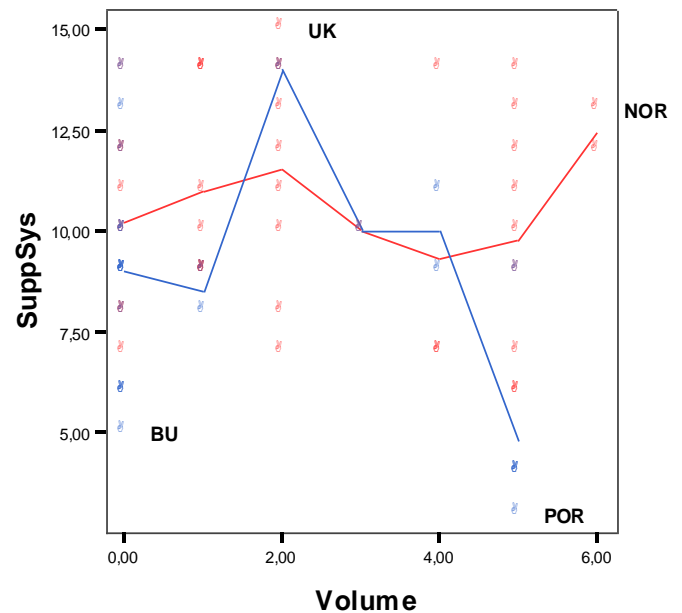


Figure 2. The blue line shows the mean strength of self-regulation codes on each dimension, whereas the red line shows the mean strength of alcohol marketing laws for all sampled European country.

The regulations with a strong volume or content restriction as well as a strong supporting system can be designated as best practices in Europe. Regarding content restrictions that are in line with evidence based criteria of effectiveness, France is a best practice. France has a strong supporting system and the strongest content restriction in Europe: only the provision of product information is allowed in alcohol advertising. Regarding evidence based volume restrictions, Norway has both a strong supporting system as well as the most comprehensive volume restriction of Europe and can therefore be called a best practice.

Conclusion

An evidence-based framework has been developed that pays special attention to the protection of vulnerable groups, especially young people. Following this framework one is able to set up an effective alcohol marketing regulation system as well as to evaluate existing alcohol marketing regulations.

Alcohol marketing regulations should be embedded by law to substantially decrease the overall volume of alcohol marketing to which adolescents are exposed. This includes advertising, promotion and sponsorship. A comprehensive volume ban is considered to be the most effective restriction as it limits the volume of alcohol marketing and prevents possible shifts to unrestricted types of alcohol marketing. When allowing alcohol advertising, regulations should prohibit alcohol marketing tools that are difficult to monitor or that reach many adolescents. Furthermore, all elements appealing to young people should be addressed and preferably only product information should be allowed. Volume and/or content restrictions in alcohol marketing regulations will only be effective when there is an adequate regulatory system that supports the restrictions and empowers the implementation, its adherence and the evaluation process. An evaluation of existing alcohol marketing regulations in 21 European countries shows that the strongest (volume or content) restrictions often go hand in hand with good supporting systems. Overall, there has been found that existing self-regulations are not able to put these elements into place, which is in line with the conclusion by Vendrame & Pinsky (38) that self-regulation is ineffective in protecting young people against harmful alcohol advertising. When evaluating existing alcohol marketing regulations in Europe, marketing restrictions that are embedded in law in France and Norway can be identified as best practices.

Although best practices of alcohol marketing regulations can already be found in Europe, due to the global alcohol marketing activities of the alcohol industry, harmonization of (statutory) alcohol marketing regulations at the European level is desired as this will decrease the possibilities of alcohol advertisers to reach adolescents by border-crossing channels. This conclusion underlines the importance of the action recommended by the WHO of working to a overall volume restriction in European countries.

For more information please contact:
Avalon de Bruijn (adebruijn@eucam.info)

European Centre for Monitoring Alcohol Marketing

P.O.box 9769
3506 GT Utrecht, the Netherlands
T + 31 (0) 30 65 65 041
F + 31 (0) 30 65 65 043
Email: eucam@eucam.info

References

1. Babor T, Caetano R, Casswell S, Edwards G, Giesbrecht N, Graham K, et al. Alcohol: No Ordinary Commodity-Research and Public Policy. 2010. Oxford University Press: Oxford; 2010.
2. Anderson P, Baumberg B. Alcohol in Europe: a public health perspective: Institute of Alcohol Studies, UK. 2006.
3. Anderson P, de Bruijn A, Angus K, Gordon R, Hastings G. Impact of alcohol advertising and media exposure on adolescent alcohol use: a systematic review of longitudinal studies. Alcohol 2009 May-Jun;44(3):229-43.
4. Smith LA, Foxcroft DR. The effect of alcohol advertising, marketing and portrayal on drinking behaviour in young people: systematic review of prospective cohort studies. BMC Public Health 2009;9:51.
5. Jernigan D. The Extent of Global Alcohol Marketing and Its Impact on Youth. 2008.
6. Forum SGoTEAaH. Does marketing communication impact on the volume and patterns of consumption of alcoholic beverages, especially by young people? - a review of longitudinal studies. 2009.
7. WHO. Draft-European Alcohol Action Plan 2012-2020. In: Europe RO, editor. Copenhagen, 30-31 March 2011 ed2011.
8. STAP. Regulation of Alcohol Marketing in Europe. Utrecht: Dutch Institute for Alcohol Policy (STAP); 2007.
9. Nelson J, Young D. Do advertising bans work? An international comparison. International Journal of Advertising 2001;20(3):273-96.
10. De Bruijn A, Johansen, I., Van den Broeck, A. Effective Alcohol Marketing Regulations: A proposed framework to evaluate existing alcohol marketing regulations. Utrecht: STAP2010.
11. de Bruijn A, van den Broeck, A. Evaluating the effectiveness of alcohol marketing regulations in Europe. not published yet2010.
12. Hawkes C. Self-regulation of food advertising: what it can, could and cannot do to discourage unhealthy eating habits among children. Nutrition Bulletin 2005;30(4):374-82.

13. Nelson J. Advertising bans, monopoly, and alcohol demand: Testing for substitution effects using state panel data. *Review of Industrial Organization*2003;22(1):1-25.
14. Frank M. Media substitution in advertising: A spirited case study. *International Journal of Industrial Organization*2008;26(1):308-26.
15. Chen MJ, Grube JW, Bersamin M, Waiters E, Keefe DB. Alcohol advertising: what makes it attractive to youth? *J Health Commun*2005 Sep;10(6):553-65.
16. Casswell S, Zhang JF. Impact of liking for advertising and brand allegiance on drinking and alcohol-related aggression: a longitudinal study. *Addiction*1998 Aug;93(8):1209-17.
17. Jernigan D. Global status report: Alcohol and young people. Geneva: World Health Organization2001;57.
18. Geuens M, De Pelsmacker P. Feelings evoked by warm, erotic, humorous or non-emotional print advertisements for alcoholic beverages. *Academy of marketing science review*1998;1:1-8.
19. Waiters E, Treno A, Grube J. Alcohol advertising and youth: A focus-group analysis of what young people find appealing in alcohol advertising. *Contemporary Drug Problems*2001;28:695.
20. FTC. Self-Regulation in the Alcohol Industry Federal Trade Commission; 2008 [cited 2008 June]. Available from: <http://www.ftc.gov/os/2008/06/080626alcoholreport.pdf> (Archived by WebCite® at <http://www.webcitation.org/5iSMTEnCO>).
21. Kelly KJ, Edwards RW. Image advertisements for alcohol products: is their appeal associated with adolescents' intention to consume alcohol? *Adolescence*1998 Spring;33(129):47-59.
22. Hackbarth DP, Schnopp-Wyatt D, Katz D, Williams J, Silvestri B, Pflieger M. Collaborative research and action to control the geographic placement of outdoor advertising of alcohol and tobacco products in Chicago. *Public Health Rep*2001 Nov-Dec;116(6):558-67.
23. Giesbrecht N, Johnson S, Anglin L, Greenfield T. Alcohol advertising policies in the United States: national promotion and control initiatives. *Contemp Drug Probs*2004;31:673.
24. Gould E. Trade treaties and alcohol advertising policy. *J Public Health Policy*2005 Sep;26(3):359-76.
25. Grieshaber-Otto J, Sinclair S, Schacter N. Impacts of international trade, services and investment treaties on alcohol regulation. *Addiction*2000 Dec;95 Suppl 4:S491-504.
26. Brown A. Advertising regulation and co-regulation: the challenge of change. *Economic Affairs*2006;26(2):31-6.
27. CommissionoftheEuropeanCommunities. European Governance A white Paper2001. Report No.: COM(2001) 428.
28. Zeijden vdP, Horst, van der R. Self-Regulation Practices in SANCO Policy Areas2008.
29. DGHealthandConsumers. Self-Regulation in the EU Advertising Sector: A report of some discussion among Interested parties2006.
30. Giesbrecht N. Roles of commercial interests in alcohol policies: recent developments in North America. *Addiction*2000 Dec;95 Suppl 4:S581-95.
31. Hill L, Casswell S. Alcohol advertising and sponsorship: Commercial freedom or control in the public interest. *The essential handbook of treatment and prevention of alcohol problems*2004:339-59.
32. Jackson MC, Hastings G, Wheeler C, Eadie D, Mackintosh AM. Marketing alcohol to young people: implications for industry regulation and research policy. *Addiction*2000 Dec;95 Suppl 4:S597-608.
33. Evans JM, Kelly R.F. Self-Regulation in the Alcohol Industry: A Review of Industry Efforts to Avoid Promoting Alcohol to Underage Consumers1999.
34. Held T, Scheuer A. Final Report: Study on Co-Regulation Measures in the Media Sector. Study for the European Commission, Directorate Information Society and Media Unit A2006;1.
35. Monteiro MG. Alcohol and public health in the Americas: a case for action. Washington: Pan American Health Organization2007.
36. Jernigan DH, Mosher JF. Editors' introduction: alcohol marketing and youth--public health perspectives. *J Public Health Policy*2005 Sep;26(3):287-91.
37. Arino M. Content Regulation and New Media: A Case Study of Online Video Portals. *COMMUNICATIONS AND STRATEGIES*2007;66:115.
38. Vendrame A, Pinsky I. Inefficacy of self-regulation of alcohol advertisements: a systematic review of the literature. *Revista Brasileira de Psiquiatria*2010(AHEAD):0-.