



Submission to the Ministerial Forum on Alcohol Advertising and Sponsorship

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Chair

Ministerial Forum on Alcohol Advertising and Sponsorship

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Women's Health Action is a women's health promotion, information and consumer advisory service. We are a non-government organisation that works with health professionals, policy makers and other not for profit organisations to inform government policy and service delivery for women. Women's Health Action is in its 30th year of operation and remains on the forefront of women's health in Aotearoa New Zealand. We provide evidence-based analysis and advice to health providers, NGOs and DHBs, the Ministry of Health, and other public agencies on women's health (including screening), public health and gender and consumer issues with a focus on reducing inequalities. We have a special focus on breastfeeding promotion and support, women's sexual and reproductive health and rights and body image.

Women's Health Action made a submission to the Justice and Electoral Select Committee in 2010 and an oral submission to the committee in March 2011. In our submission we supported Clause 220 of the Bill that adopted stage one of the Law Commission's recommendations establishing a new offence in regards to the irresponsible promotion of alcohol. We strongly recommend that the Government included provisions in the Bill to enact all of the Law Commission recommendations to restrict alcohol advertising and sponsorship, in a three stage process that would be in place within five years or ideally within a shorter time frame.

Women's Health Action believe there is considerable evidence that Alcohol advertising can be linked with a great deal of social harm in particular to two significant public health issues - sexual violence and increased ill effects from drinking in young women because the role of alcohol in of intimate partner and family violence is reinforced by socially irresponsible liquor advertising that promotes negative attitudes towards women. Recent research shows that young women have increased rates of alcohol abuse which could be linked to advertising directed to young women which glamourises alcohol.

We also believe there is strong evidence to show:

- **Alcohol is not an ordinary product or commodity.** Its consumption creates a significant burden of harm, which falls disproportionately on women, the young, indigenous populations and those who experience social- economic disparities.
- **Exposure to sophisticated alcohol marketing has increased worldwide including in Aotearoa New Zealand.** This results in:
 - Increased uptake of drinking by young people at a younger age
 - Increased likelihood of regular and harmful patterns of drinking

- Maintains and promotes positive attitudes to drinking
- Makes it more difficult to quit or cut back drinking and contradicts health promotion messages to be effective.
- **Self-regulatory regimes for controlling alcohol have not worked**

We recommend

- That all alcohol advertising, other than that communicating objective product information, be restricted in all media in New Zealand, including alcohol promotion on social networking sites
- That alcohol sponsorship of sporting and cultural events is phased out as soon as possible.
- That a portion of the government alcohol excise tax be used to provide alternative sponsorship for sport and cultural activities.
- Because of the conflict of interest industry self-regulation of alcohol marketing ends and an independent body is established to manage this process and monitor and enforce restrictions.
- Regulation should be independent of alcohol and advertising industries to ensure its integrity and effectiveness.

The following document presents the evidence in support of our submission.

Why Women’s Health Action supports further restrictions on alcohol advertising and further restrictions on alcohol sponsorship.

Women’s health Action supports further restrictions on alcohol advertising in order to reduce alcohol related harm because we believe there is strong evidence that the current self-regulatory system to monitor alcohol advertising content in Aotearoa New Zealand is not working and that advertising and sponsorship is contributing to increased alcohol consumption with resultant negative health effects.

According to the Code of Advertising Liquor, liquor advertisements are expected to observe a high standard of social responsibility for example by avoiding appeal to the young; to unduly masculine themes; and to suggesting any link between liquor and sexual attraction or performance. Despite this, Alcohol advertisements consistently receive some of the highest number of complaints to the Advertising Standards Authority. We continue to believe that the Code for Advertising Liquor and the related Code for People in Advertising can be neutralised if advertising content that clearly contravenes the spirit of the codes is presented in a humorous, hyperbolic or ironic fashion. As we noted in our previous submission, we consider that liquor advertising is bad for women’s health in particular because of alcohol advertisements which target women as consumers and those advertisements that use negative attitudes towards women to sell liquor to men.

In 2008 the New Zealand Law Commission began its extensive review of our alcohol laws. At the conclusion of their process in 2010 they reported that no single issue galvanised the public to such a degree as alcohol advertising and sponsorship. Having considered the recent research linking the advertising of alcohol and increased alcohol consumption by young people, and having heard the views of submitters and consultees, the Law Commission came to the view that greater controls were needed on advertising, sponsorship and other promotion of alcohol. We strongly agreed with the Commission’s finding in the Alcohol in our lives: curbing harm Report ¹ that *“the subtle associations embedded in the sophisticated and highly creative alcohol brand advertising campaigns common today are unlikely to be caught by literal interpretations of the codes”*.

It has now been four years since the Law Commission’s recommendations were made. We note that Stage 1 of the Law Commission’s recommendations has been implemented by the inclusion on a new clause making it an offence to promote the excessive consumption of alcohol in the *Sale and Supply of Alcohol Act 2012*. However, we are unaware of any test cases based on this new law. **We therefore recommend that the Review Forum consider mechanisms to monitor the impact and effect of this legislation. We also**

¹ Chapter 19, pg. 360, 19.82 – 19.83

recommend that the Review Forum support the immediate implementation of Stage 2 and 3 of the Law Commission recommendations on alcohol advertising and sponsorship as set out in their report *Alcohol in Our Lives – Curbing the Harm 2010*.²

These being:

Stage 2: Setting up an interdepartmental committee to consider adopting legislated measures designed to reduce exposure, particularly of young people.

Stage 3: Implementing restrictions including:

- Messages and images may refer only to the qualities of products, such as origin, composition, means of production and patterns of consumption;
- The banning of images of drinkers or the depiction of a drinking atmosphere;
- Only allowing advertising in press with a majority readership over 20 years of age;
- No alcohol-related sponsorship of any cultural or sports events or activities.

This would mean a ban on all forms of alcohol advertising and sponsorship in all media, other than objective product information and that any permitted alcohol advertising is accompanied by health advisory messages.

We Also note that there are a number of practical ways in which much of the existing alcohol advertising and sponsorship activities could be limited.

These include:

- The establishment of an independent body to take over the management and regulation of alcohol advertising and sponsorship, and ending self-regulation.
- Setting out what is alcohol advertising is allowed (i.e. objective product information only), and banning all other advertising including all broadcast, bill-board and outdoor advertising, all print media, and all website and social media content that is generated by New Zealand based companies/individuals.
- Prohibiting New Zealand companies/individuals from promoting or contributing to any overseas based promotions in New Zealand.
- Establishing a fund from alcohol excise tax to support alternative funding options for alcohol sponsorship, and this is phased out over the next 1-2 years.

² Law Commission (2010). *Alcohol in our lives: Curbing the harm. A report on the review of the regulatory framework for the sale and supply of liquor*. Report 114. Wellington: New Zealand.

What evidence is available to support our view?

Since 2010 there have been numerous studies both here and internationally linking alcohol advertising to harmful effects on health, particularly the health of the young. These effects include addiction and other mental health issues, family and sexual violence, motor vehicle accidents. The long term effects include significant physical and mental health problems. This includes the a number of recent studies including Babor et al (2010) concluded that the climate created by sophisticated alcohol marketing has facilitated the recruitment of new cohorts of young people to the ranks of heavier drinkers and has worked against health promotion messages; Smith and Foxcroft (2009) who found an association between exposure to alcohol advertising or promotional activity and subsequent alcohol consumption by young people; Anderson and others (2009) who found consistent evidence to link alcohol advertising with the uptake of drinking among non-drinking youth and increased consumption among their drinking peers. In relation to Alcohol Advertising Self-regulation Babor et al (2010) concluded: "...Attempts to control the content of the marketing messages using voluntary codes of content have not decreased their appeal to young people sufficiently to reduce their impact"³. Overall, there is no evidence to support the effectiveness of industry self-regulatory codes, either as a means of limiting advertisements deemed unacceptable or as a way of limiting alcohol consumption⁴.

There is also considerable evidence of public support for further restrictions on alcohol advertising and marketing. Of the 2,939 submissions made to the Law Commission 2,281 of these commented on the range of policy options presented on alcohol advertising and marketing. Of the 2,281 submissions **86% supported banning or restricting all advertising of all alcohol in all media**. Over 7000 submitters to the Justice and Electoral Select Committee on the Alcohol Reform Bill made some comment on alcohol advertising and/or sponsorship. The vast majority were in favour of greater restrictions on advertising, and most were also in favour of a ban on sponsorship. In many of the larger public forums there was strong support for applying the tobacco "Smokefree" model to alcohol, with a ban on all advertising and a staged withdrawal of all alcohol sponsorship. Others wished to see the codes covering alcohol advertising overhauled; the hour at which alcohol can be advertised on television moved forward from the current threshold of 8.30pm to 9.30pm, and the responsibility for regulation and complaints handed to an independent statutory body.

In 2008, Alcohol's association with sport was also viewed by many submitters as inappropriate and there was a call for an immediate end to alcohol branding on primary and secondary school sports equipment. Many also questioned why, given the risks associated with alcohol consumption, there was no requirement for advertisers and manufacturers to include in advertisements and product packaging basic consumer

³ Babor et al (2010). *Alcohol No Ordinary Commodity*. Research and public policy. 2nd ed. Oxford.

⁴ Babor et al (2010). *Alcohol: No ordinary commodity. Research and Public Policy*. 2nd Ed. World Health Organisation: Oxford University Press.

information such as the number of standard drinks, recommended maximum intake and risks to pregnant women and the young. Similarly, in the Health Sponsorship Council's 2010 Health and Lifestyle survey: Alcohol Related Attitudes report researchers found **81.9% of participants either supported or strongly supported increasing the restrictions on alcohol advertising or promotion** that is seen and heard by children and young people.⁵

This view is strongly supported by research evidence. In 2004 Hill and Casswell (2004) discussed how sponsorship has become an important vehicle for alcohol marketing. The relationship between effectively marketing alcohol through sports activities that attract young males, and using this relationship to constantly reaffirm the long standing association between national pride, sport and alcohol was highlighted. Sports sponsorship ensures that alcohol companies receive maximum exposure for their brands through the media building a life-long brand allegiance between sports fans and their favourite team's alcohol sponsor. The links between alcohol-industry sponsorship of sportspeople, in particular, the provision of free or discounted alcoholic beverages, and hazardous drinking had been highlighted in other research. O'Brien and Kypri (2008), found that respondents receiving free or discounted alcohol and respondents who felt they should drink their sponsor's product and/or go to the sponsor's premises after practice, games or events reported higher levels of drinking. Studies have also found alcohol related aggression and antisocial behaviour in university students who play sport⁶ and that higher AUDIT-C scores, gender and receipt of alcohol industry sponsorship were associated with alcohol-related aggression/antisocial behaviours in university sportspeople

A number of recent studies in New Zealand have examined alcohol-related promotion during popular sports events.⁷ Gee et al (2013) analysed the alcohol-related promotion and consumption of both major sporting events.⁸ Their findings suggest that there is an increasingly naturalised alcohol-sport link in the entertainment experience of major sports events in New Zealand. Several recommendations were made including; eliminating alcohol promotions that endorse the party or carnivalesque atmosphere and investigating local and international policies and pathways such as France's model of Loi Evin.⁹ There are also significant effects of sponsorship found in children. For example, Pettigrew et al (2013) demonstrated for the first time in an Australian study that children are likely to be subconsciously absorbing multi-million dollar sports sponsorship messages.¹⁰ More than 160 children aged between five and twelve took part in an

⁵ Peck, R. (2011). *2010 Health and Lifestyles Survey: Alcohol related attitudes*. Wellington: Health Sponsorship Council.

⁶ O'Brien, K., Lynott, D. & Miller, P.G. (2013). Alcohol industry sponsorship and alcohol-related harms in Australian university sportspeople/athletes. *Drug and Alcohol Review*. 32, 241-247.

⁷ Gee, S. (2013). The culture of alcohol sponsorship during the 2011 Rugby World Cup: an (auto)ethnographic and (con)textual analysis. *Sport in Society*, Vol 16, No 7, 912-930 & Gee, S., Jackson, S. & Sam, M. (2014). Carnivalesque culture and alcohol promotion and consumption at an annual international sports event in New Zealand. *International Review for the Sociology of Sport*. 1-19.

⁸ Gee, S., Jackson, S., Sam, M. (2013). *The culture of alcohol promotion and consumption at major sports events in New Zealand*. Commissioned by the Health Promotion Agency: Wellington.

⁹ Ibid.

¹⁰ Pettigrew, S., Rosenberg, M., Ferguson, R., Houghton, S. & Wood, L. (2013). Game on: do children absorb sports sponsorship messages? *Public Health Nutrition*. Doi: 10.1017/S13688980012005435.

activity that assessed their conscious and subconscious associations between sporting teams and a range of sponsors. The researchers found that more than three-quarters of the children aligned at least one correct sponsor with the relevant sport. The researchers concluded that this was a concern given the current extent of sponsorship by alcohol and fast food companies and recommended limiting children's exposure to sponsorship messages of companies promoting unhealthy food and drinks is an important element of public policy efforts.

Terry-McElrath and O'Malley (2011)¹¹ A that although the relationship is complex, the majority of research in young people shows that participation in sport is associated with greater (mis)use of alcohol, particularly in team sports. Because sport is typically charged with strong emotional valence and social identification that is not present in other activities, products presented within sporting contexts are more likely to be liked and chosen. In addition, heavy episodic drinking is increasing among young people, and appears to be especially problematic in sportspeople where rates of heavy episodic drinking and harm are consistently higher than non-sporting peers and the general population. For example, O'Brien et al (2011)¹² examined found that consistent with work from the US alcohol-related aggressive and antisocial behaviours were greater in male Australian university sportspeople/athletes than in their female non-sporting counterparts.

The substantial increase in alcohol marketing is having powerful effects on young people and there is ample evidence that young people are starting to drink at an earlier age, and drink in ways that put their health at risk and there is an extensive body of research which indicates that alcohol marketing from multiple and multidimensional sources shapes young people's attitudes and behaviours, encouraging them to take up drinking, and to drink more once they do. Research shows that attitudes and assumptions about drinking are not only shaped by the content of advertising, but also by the sheer volume and variety of marketing. Studies have shown that young people continue to be exposed to alcohol marketing through television advertising, print media with a high youth readership, and product placement in film, music videos, comics and video games. There is also accumulating evidence that young people in New Zealand are encountering alcohol messages, associations and products in a multitude of everyday settings and interactions, including alcohol-sponsored music and sporting events, free gift promotions, alcohol-branded merchandise and interactive competitions.

Alcohol companies have responded to the rise of social media by repositioning their marketing focus. For example, in 2011, Bacardi announced it would 'shift up to 90% of its digital spend to Facebook as it no longer deems dotcom sites relevant'. During this same year, Diageo stated that the days of lavish websites were over and subsequently announced plans to 'step up their multi-million dollar partnership with

¹¹ Terry-McElrath & O'Malley (2011). Commentary – Bad Sport – exorcizing harmful substances and other problems. *Addiction*, 106, 1866-1867.

¹² O'Brien, K., Kolt, G.S., Martens, M.P., Ruffman, T., Miller, P.G. & Lynott, D. (2011). Alcohol-related aggression and antisocial behaviour in sportspeople/athletes. *Journal of Science and Medicine in Sport*. Doi: 10.1016/j.jsams.2011.10.008.

Facebook' reporting that their Facebook fan base had increased from 3.5 to 12 million in the preceding year¹³. Accordingly, by 2012, alcohol brands had the highest engagement rate on Facebook.¹⁴ Nicholls (2012) undertook a content analysis of alcohol industry generated social media marketing material which revealed clear patterns in brand strategies such as real-world tie ins (refer to an actual branded event promoted wholly or in part via social media), interactive game (including using giveaways and competitions of some form), sponsored online events (e.g. a range of television and live comedy resurrecting cult shows and characters to stimulate conversation in an alcohol branded environment) and invitations to drink (e.g. linking consumption to the weekend and also linking brands to early and mid-week consumption).¹⁵ These activities allow marketers to embed brand-related activities in the routines of social media engagement for large numbers of people, and to use social media to encourage a more routine approach to alcohol consumption.¹⁶

The rapid growth in the use of new social networking technologies raises issues regarding alcohol marketing. There is now clear evidence its impact on the consumption of young people. Young people, for example, routinely tell and re-tell drinking stories online, share images portraying drinking, and are exposed to often intensive and novel forms of alcohol marketing. McCreanor et al (2013) conclude that social networking systems are positive and pleasurable for young people, but are likely to contribute to pro-alcohol environments and encourage drinking.¹⁷ Niland et al (2014) go further and suggest that the ways in which young adults' talked about and understood their uses of Facebook within their drinking practices meant that young people often depicted their drinking as pleasurable and without negative consequences.¹⁸ These findings further reinforce the relationship between social learning theory and youth drinking behaviours.

There are a number of recent studies which make similar findings including: Gordon et al (2011) found significant associations were found between awareness of, and involvement with, alcohol marketing and drinking behaviour and intentions to drink in the next year.¹⁹ Lin et al (2012), found that exposure to all forms of alcohol marketing is associated with drinking by young people.²⁰ They also found that having established a brand allegiance at age 13-14, was related to drinking patterns including consuming larger

¹³ Nicholls, J. (2012). *Everyday, Everywhere: Alcohol Marketing and Social Media – Current Trends*.

¹⁴ Carranza, A. (2012). Alcohol and automotive industries create the most engagement on Facebook. Accessed from <http://www.examiner.com/article/alcohol-and-automotive-industries-create-the-most-engagement-on-facebook>. Accessed on 13/12/12.

¹⁵ Ibid footnote 5.

¹⁶ Ibid.

¹⁷ McCreanor, T., Lyons, A., Griffin, C., Goodwin, I., Moewaka Barnes, H. & Hutton, F. (2013). Youth drinking cultures, social networking and alcohol marketing: implications for public health. *Critical Public Health*, Vol 23, no.1, 110-120. <http://dx.doi.org/10.1080/09581596.2012.748883>.

¹⁸ Niland, P., Lyons, A.C., Goodwin, I. & Hutton, F. (2014). "See it doesn't look pretty does it?" Young adults' airbrushed drinking practices on Facebook. *Psychology & Health*. Doi: 10.1080/08870446.2014.893345.

¹⁹ Gordon, R., Harris, F., Mackintosh, A. & Moodie, C. (2011). Assessing the cumulative impact of alcohol marketing on young people's drinking: Cross-sectional data findings. *Addiction Research and Theory*. 19(1): 66-75.

²⁰ Lin, E-Y.J., Casswell, S., You, R.Q., Huckle, T. (2012). Engagement with alcohol marketing and early brand allegiance in relation to early years of drinking. *Addiction Research & Theory*. 20(4): p. 329-338.

quantities.²¹ Another cross sectional study found that exposure to alcohol advertisements among Australian adolescents is strongly associated with drinking patterns.²² Siegel et al (2014) compared brand specific consumption patterns of underage youth and adults and found many alcohol brands that had both a high proportion of youth consumption and disproportionate consumption by underage youth compared to adults, whether measured by prevalence or market share.²³

Why Women’s health Action thinks changes should be made now?

Both the recent research and the Law Commission’s report speak for themselves. In addition, individual clinical experts and organisations who work with individuals and communities affected by alcohol have also produced considerable evidence about the role advertising plays in promoting alcohol as a benign²⁴ and glamorous product. It is therefore hard to understand why the kind of advertising limitations imposed on tobacco has not also been imposed in regards to alcohol²⁵.

Research post 2010 has demonstrated the ineffectiveness of alcohol industry self regulation. For example: Babor et al (2013) evaluated advertising code violations using the US Beer Institute guidelines for responsible advertising and found that between 35% and 74% of the ads had code violations. The authors suggest that the alcohol industry’s current self-regulatory framework is “spectacularly ineffective” at preventing content violations but could be improved by the use of new rating procedures designed to better detect content code violations.²⁶ Jernigan et al (2013) evaluated the proportion of advertisements that appeared on television programmes in 25 local television markets in the US and found that youth exposure exceeded the industry standard.²⁷

One in four alcohol advertisements on a sample of 40 national TV programmes popular with youths had underage audiences >30%, exceeding the alcohol industry’s voluntary codes. Comparable studies in the UK also found that alcohol imagery occurred in over 40% of broadcasts, most commonly soap operas, feature films, sport and comedies, and was equally frequent before and after the 9pm watershed. Brand appearances occurred in 21% of programmes, and over half of all sports programmes, a third of soap

²¹ Ibid.

²² Jones, S.C. & Magee, C.A. (2011). Exposure to alcohol advertising and alcohol consumption among Australian adolescents. *Alcohol and Alcoholism*. 46 (5): p. 630-637.

²³ Siegel, M., Chen, K., DeJong, W., Naimi, T.S., Ostroff, J., Ross, C.S. & Jernigan, D.H. (2014). Differences in alcohol brand consumption between underage youth and adults – United States, 2012. *Substance Abuse*. Doi: 10.1080/08897077.2014.883344.

²⁴ Huckle, T., Pledger, M., & Casswell, S. (2012). Increases in quantities consumed and alcohol-related problems during a decade of liberalising alcohol policy. *Journal of Studies on Alcohol and Drugs*, 73(1), 53-62.

²⁵ Huckle, T., Sweetsur, P., Moyes, S. & Casswell, S. (2008). Ready to drinks are associated with heavier drinking patterns among young females. *Drug and Alcohol Review*, 27. 398-403. [Abstract] A21

²⁶ Babor, T., Xuan, Z. & Noel, J. (2013). An empirical evaluation of the US Beer institute’s self regulation code governing the content of beer advertising. *American Journal of Public Health*. Doi: 10.2105/AJPH.2013.301487.

²⁷ Jernigan, D. et al (2013). Youth exposure to alcohol advertising on television – 25 markets, United States, 2010. *Morbidity and Mortality Weekly Review*. Vol. 62, No.44.

operas and comedies and a fifth of advertising/trailer. The authors concluded that it is likely that this exposure has an important effect on alcohol consumption in young people.²⁸

Recent research (Ross et al 2014) further strengthens the conclusion that self-regulatory systems for alcohol advertising are ineffective. Researchers found that despite high levels of compliance with self-regulatory guidelines, in several countries youth exposure to alcohol advertising on television has grown faster than adult exposure.²⁹ Similarly, when Lyons & Britton (2013) analysed the content of tobacco and alcohol in popular UK films they also found heavy exposure of tobacco and alcohol imagery in films classified as being suitable for youth audiences.³⁰ After analysing 45 of the most popular films between 2009-2011, researchers found that alcohol branding was far more frequent than tobacco branding, occurring in 22% of films. When combined with earlier findings using the same methods in films from 1989 to 2008, alcohol was present in 86% of films.

Smith et al (2013) found that existing codes and regulations were largely followed regarding content but did not adequately protect against content that promotes unhealthy and irresponsible consumption. Additionally, Rhoades and Jernigan (2013) assessed the content of alcohol advertising in youth-oriented U.S. magazines, with specific attention to subject matter relating to risk and sexual connotations and to youth exposure to these ads. They concluded that the prevalence of problematic content in magazine alcohol advertisements was concentrated in advertising for beer and spirits brands, and violations of industry guidelines and addiction content appeared to increase with the size of youth readerships, suggesting that individuals aged <21 years may be more likely to see such problematic content than adults.³¹

Alcohol branding is also prominent in popular music that young people listen to. Studies have found that alcohol brand mentions in song lyrics are almost uniformly positive or neutral and are heavily concentrated among a small number of brands.³² In a New Zealand content analysis of the portrayal of alcohol in televised music videos the findings were similar.³³ In both studies (2005 & 2010), the portrayal of alcohol in music videos was relatively common and overall the proportion of alcohol content in the music videos was higher in 2010 than in 2005. Brand-authored social media marketing presents a significant challenge to existing regulatory codes.

²⁸ Lyons, A., McNeill, A. & Britton, J. (2013). Alcohol imagery on popularly viewed television in the UK. *Journal of Public Health*. Pp.1-9. Doi:10.1093/pubmed/fdt074.

²⁹ Ross, C.S., Ostroff, J. & Jernigan, D.H. (2014). Evidence of underage targeting of alcohol advertising on television in the United States: Lessons from the Lockyer v. Reynolds decisions. *Journal of Public Health Policy*. Vol.35, 1, 105-118.

³⁰ Lyons, A. & Britton, J. (2013). A content analysis of tobacco and alcohol in popular UK films: an update. *The Lancet*, Vol 82, p.S66. doi:10.1016/S0140-6736(13)62491-5.

³¹ Rhoades, E. & Jernigan, D.H. (2013). Risky messages in alcohol advertising, 2003-2007: Results from content analysis. *Journal of Adolescent Health*. <http://dx.doi.org/10.1016/j.adohealth.2012.04.013>.

³² Jernigan, D.H., et al (2014). Alcohol brand references in U.S popular music, 2009-2011. *Substance Use and Misuse*. Draft article.

³³ Sloane, K., Wilson, N. & Imlach Gunasekara, F. (2013). A content analysis of the portrayal of alcohol in televised music videos in New Zealand: Changes over time. *Drug and Alcohol Review*, 32, 47-52.

In the UK, a group called the Youth Alcohol Advertising Council (YAAC) consisting of young people aged between 16 and 19 years of age have the remit to scrutinise alcohol advertising against the local codes from a younger person's perspective.³⁴ After reviewing selected advertising, it is the group's task to decide whether to make a complaint to the ASA. The process has highlighted a number of important weaknesses in the regulatory controls of alcohol marketing including: being reliant on public engagement, are retrospective and slow, lack meaningful penalties or deterrents, have weak controls of internet advertising and rarely apply the spirit of the codes.³⁵ From their findings the group proposed a partial, not total, ban on alcohol advertising that places restrictions on where and how alcohol is promoted. The proposals drew on elements of France's Loi Evin prioritise the protection of young people.³⁶

The impact of marketing creates a social environment in which the positive aspects of drinking are dominant and normalised. For example, the 'drink responsibly' marketing messages and websites widely promoted by the alcohol companies have been shown to be understood by young people as being about moderation but also communicating positive messages about alcohol in an approach described as strategically ambiguous and that these messages also promote associations with the company conducting the marketing³⁷. This ensures that these alcohol brands become synonymous with many positive values and experiences and enhances the perception that the alcohol industry is socially responsible citizens of a community.

Concluding comments

As a recent study by Casswell notes the alcohol and tobacco industries are perceived differently. She suggests globally, producers of alcohol have waged a "*sophisticated and successful campaign during the past three decades, including sponsorship of intergovernmental events, funding of educational initiatives, research, publications and sponsoring sporting and cultural events*". Her study found the alcohol industry has promoted the idea that moderate drinkers experience no ill effects and that alcohol policies should only target "heavy drinkers" rather than supply of alcohol promoting the idea that moderate drinkers should be "unaffected by interventions". This approach, which obscures the contribution supply and marketing make to alcohol-related harm, has also contributed to failure to adopt effective supply-side policies³⁸.

³⁴ Alcohol Concern (2013). *Alcohol advertising regulation that balances commercial and public interest*. London: UK.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Casswell, S. (2012). Current status of alcohol marketing policy. *Addiction*, 107, 478-485.

³⁸ Casswell, S. 2013. Vested interests in addiction research and policy. Why do we not see the corporate interests of the alcohol industry as clearly as we see those of the tobacco industry?

The policy response to tobacco marketing provides a clear contrast to that of alcohol marketing policy. Comprehensive restrictions on tobacco marketing resulted in a decline of 7.4% in OECD countries with some indication that a cumulative effect might occur³⁹. There are a number of existing examples of international and national legislation that could be useful in the alcohol policy setting including The Framework Convention on Tobacco Control. The evaluation of the alcohol marketing regulations of 23 European countries showed that Norway and France have the most effective regulations.⁴⁰ Norway has the most comprehensive volume restriction in Europe; all alcohol marketing is prohibited. In France, the Loi Evin bans the promotion of alcohol on TV and cinemas, as well as alcohol sponsorship of cultural and sports events. These volume restrictions are completed with a content restriction that stipulates exactly what can be showed (instead of what is not allowed). Alcohol advertising is only allowed in press aimed at adults, on billboards, on radio channels (under precise conditions), and at special events or places like wine fairs and wine museums. When advertising is permitted, content is controlled: messages and images should refer only to the qualities of the products like ABV, origin, composition, means of production, patterns of consumption and health messages are required on each advertisement. In Iceland all alcohol advertising and broadcasting is banned, In Finland advertising of mild alcoholic beverages in public places in Finland is prohibited, Sweden prohibits advertising of alcohol over 2.25% abv in all media.

In regards to positive changes to sponsorship, New Zealand's Health Sponsorship Council which was established in 1990 following the enactment of the Smokefree Environments Act 1990 to provide an alternative to tobacco sponsorship in New Zealand provides an example of how current alcohol sponsorship could be changed. Similarly, under Australia's 'Be the Influence' strategy an increase in tax on Alcopops in Australia was ring-fenced to provide replacement government funding for 12 leading sporting organisations to end all existing and future alcohol sponsorship agreements.

As we noted in our previous submission, we believe such changes are strongly mandated by the New Zealand public as evidenced by the responses to the Law Commission's public consultation in 2009. We

believe that this matter has been discussed and reviewed enough. There is a great deal of evidence that links alcohol advertising to alcohol related harm and we believe that that greater regulation of liquor advertising, leading to a total ban of alcohol advertising in all media, would have a beneficial effect.

Research which we and others have cited, post 2010 on the effects of alcohol marketing on the drinking of younger people has further strengthened the call for an urgent policy response and there is strong public support for reducing the exposure of all New Zealanders to alcohol advertising in all of its forms.

³⁹ Casswell, S. (2012). Current status of alcohol marketing policy. *Addiction*, 107, 478 – 485.

⁴⁰ Eurocare (2010). Norwegian & French advertising regulations the most effective (FASE project). Accessed from http://www.eurocare.org/media_centre/newsletter/2010/winter_edition_2010/new_research_and_publications/norwegian_and_french_advertising_regulations_the_most_effective_fase_project.

We urge the forum to recommend an action plan which will implement the Law Commission's recommendations as put forward in their report in 2010. In particular children and young people need to be protected from the negative impacts that alcohol advertising and sponsorship have on their lives. **Again we urge the forum to recommend that the government act urgently to restrict alcohol advertising and sponsorship.**

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