FIVS GUIDING PRINCIPLES FOR ADVERTISING AND MARKETING PRACTICES FOR ALCOHOL BEVERAGES

Background

FIVS is a world-wide organisation designed to serve all sectors of the alcohol beverage industries. It includes producers, distributors, importers, exporters, and trade associations, and it interfaces with many international organisations. FIVS was founded in July 1951, and has its headquarters in Paris, France.

In 2004, the members of FIVS adopted a strategic plan (since revised on several occasions) for the organisation which sets its vision for the future as follows:

* A successful global beverage alcohol industry, operating on the principles of corporate social responsibility, sustainability, and focus on consumer interests, in an environment free from trade-distorting factors of all kinds.

In keeping with its vision, FIVS has developed a set of guiding principles for the advertising and marketing of alcohol beverages. Many codes have appeared over recent years and in different countries to provide guidance in this area. Some have been produced by individual companies, some by trade associations, and some by other groups.

It is desirable to have the greatest degree of coherence possible between these codes, while acknowledging that national and cultural norms, together with differing national regulatory frameworks, require variances in some areas. In order to promote this goal, FIVS decided to produce a document outlining the major principles that should be considered in producing codes of practice for the advertising and marketing of alcohol beverages.

The alcohol beverage industry can contribute significantly to the promotion of responsible consumption of alcohol by adhering to codes based on the principles outlined in this document. Accordingly, it is hoped that this document will provide a reference for the revision of existing codes and the development of new ones.

Introduction

The advertising and marketing of any product should be done responsibly. It is helpful to identify fundamental principles that should guide such activities. The principles in this document are aimed at providing guidance to encourage advertising and marketing that promotes responsible consumption of
alcohol beverages. Of course, those who enjoy alcohol beverages have a responsibility also to consume in a responsible manner.

The following general principles have been identified as fundamental in this area. In some cases, examples are given of how the principles are applied in differing national and/or cultural situations:

1. Consumption should only be represented at an appropriate age.

**Explanation of the principle:**

The inappropriate consumption of alcohol beverages by minors is of increasing concern around the world. Advertising and marketing that has a particular appeal to children or adolescents can lead to improper use. To this end, advertisements that feature consumption only by individuals who are older than the national legal drinking age help promote responsible consumption of alcohol beverages.

**Examples of the scope of the principle and its application in codes of best practice:**

Consideration should be given to including provisions such as the following in codes of best practice:

- Adults appearing in advertisements should be of legal drinking age AND appear to be four or five years of age above the national legal drinking age.

- No brand identification of alcohol beverages (logos, trademarks, etc.) should be used on items intended for use by minors, such as children’s clothing and toys.

- Advertisements should not promote alcohol beverage use for events directed primarily towards children or in which children form a sizeable percentage of the audience.

- Advertisements should only be placed in media where the clear majority of the viewers are expected to be adults of legal drinking age.

- Alcohol beverages shall not be suggested to be similar to another beverage/product that is primarily popular with those below legal drinking age.

**Discussion of the application of this principle in different countries and/or cultures:**

Although there is universal consensus that alcohol beverages should not be marketed to underage persons, specific criteria regarding responsible placement of advertisements will vary from country to country.

By way of example, existing national codes contain stipulations such as the following in respect of advertising and marketing materials:

- They should not contain either the name or images of Santa Claus.

- They should not be located outdoors in the vicinity (500 feet) of an elementary/secondary school, except on a licensed premise.
• They should not appear in college/university newspapers, or on college campuses except for licensed establishments on such campuses.

• They should not feature individuals considered “heroes” of the underage.

• Promotional websites should require confirmation that those who use them are over the legal purchase age for alcohol beverages in their country of access.

➢ Please see the FIVS Digital Marketing Annex for a more detailed treatment of this principle.

2. Only responsible and moderate consumption should be represented.

Explanation of the principle:

A small minority of drinkers engage in illegal or even reckless drinking practices. Advertisements and marketing initiatives should never encourage or make light of such behaviour. Advertisements and marketing initiatives are most constructive when they feature alcohol consumption in a safe and appropriate manner and setting.

Examples of the scope of the principle and its application in codes of best practice:

Consideration should be given to including provisions such as the following in codes of best practice:

• Advertisements and marketing initiatives should not portray excessive consumption or the abuse of alcohol.

• Advertisements and marketing initiatives should not depict the consumption of alcohol beverages in association with illegal, violent, or aggressive behaviour.

• Advertisements and marketing initiatives should not depict the consumption of alcohol beverages in association with illegal drugs.

• Advertisements and marketing initiatives should not depict any direct association between the consumption of alcohol beverages, and the operation of a motor vehicle, boat or aircraft or engagement in any sport (including swimming and water sports) or any potentially hazardous activity.

• Consumption of alcohol beverages in connection with the above activities should not be represented as taking place before or during engagement in the activity in question and should portray safe practices.

• Advertisements and marketing initiatives should not challenge or dare people to drink or sample a particular alcohol beverage and should not contain any inducement to prefer an alcohol beverage because of its alcohol content.

• Advertisements and marketing initiatives should not present abstinence or moderation in a negative way.
• Advertisements and marketing initiatives should not depict binge drinking as a normal and acceptable form of behaviour.

• Advertisements and marketing initiatives should avoid point of sale promotions that do not comply with applicable codes of national practice or are inconsistent with responsible promotional practices.

• Advertisements and marketing initiatives should not depict the consumption of alcohol beverages for the effects their alcohol content may produce.

• Advertisements and marketing initiatives should not feature persons who appear to be drunk or out of control.

• Advertisements and marketing initiatives should not convey the implication that excessive drinking or loss of control is amusing.

• Advertising should not be directed towards pregnant women.

3. Consumption should not be represented as linked with therapeutic benefits or personal success.

**Explanation of the principle:**

A substantial body of scientific data strongly suggests beneficial health effects of moderate consumption of alcohol beverages. However, excessive consumption may result in adverse health and social consequences. Accordingly, advertisements should not link alcohol consumption with therapeutic benefits or to personal, business, social, sporting, sexual or other success.

**Examples of the scope of the principle and its application in codes of best practice:**

Consideration should be given to including provisions such as the following in codes of best practice:

• Advertisements and marketing initiatives should not suggest that the consumption of alcohol beverages offers any therapeutic benefit or is an aid to relaxation.

• Advertisements and marketing initiatives should not imply that consumption will prevent or cure any illnesses or diseases.

• Advertisements and marketing initiatives should not depict the consumption or presence of alcohol beverages as a cause of or as contributing to the achievement of personal, business, social, sporting, sexual or other success.

• Advertisements shall not portray alcohol consumption as a rite of passage to adulthood.

• Advertisements and marketing initiatives should not suggest that alcohol consumption enhances mental ability or physical performance.

• If alcohol beverages are depicted as part of a celebration, advertisements and marketing initiatives should not imply or suggest that the beverage was a cause of or contributed to success or
achievement.

- All advertisements should be in good taste and shall not denigrate the human form, or people based on gender, religion or protected class.

4. Consistency with these principles should be ensured by a vetting system.

**Explanation of the principle:**

Self-regulatory mechanisms for advertisements and promotional materials have led to a substantial reduction in inappropriate alcohol advertisements. One effective element of a self-regulatory approach is the establishment of a system by which materials can be reviewed against codes of best practice and other principles and found to be in compliance with them before use.

**Examples of the scope of the principle and its application in codes of best practice:**

- Codes of best practice for advertising and marketing of alcohol beverages should contain a self-regulatory review system for advertisements and possibly other marketing materials.

- The system should use independent adjudicators to evaluate advertisements and determine if they are in accordance with national codes of best practice.

- There should be an established system for addressing advertisements that do not meet the standards expressed in this document or in relevant codes.

5. Further Considerations

These guiding principles should also be considered when developing codes of best practice for other aspects of alcohol beverage advertising and promotion.

**Promotion of alcohol beverages at events**

Alcohol beverage companies and associations play a valuable role in supporting many community events and activities. They are normally able to promote their products at events together with the right to promote their association with the events and event participation.

There are responsibilities that accompany these promotions. It is strongly recommended that codes of best practice include provisions urging alcohol beverage companies to ensure that:

- They do not promote their products at events that are clearly designed to target people under the legal drinking age.

- All promotional advertising in support of events and all promotional materials distributed at them are fully consistent with national codes of best practice based on principles such as those presented in this document.
• Alcohol beverages are served at events in a way that is consistent with national codes of best practice based on principles such as those presented in this document, and where applicable with legal requirements, for responsible serving of alcohol.

• A condition for participation in giveaways promoted by alcohol companies at or in association with events is that participants must be over the legal drinking age.

• Prizes given away in promotions associated with alcohol beverage companies are awarded only to winners who are over the national legal drinking age.

• Promotional staff at events are over the national legal drinking age. At many events, these promotional commitments are limited to specified activities. In general, national codes of best practice based on principles such as those presented in this document will only apply to such conduct, activities or materials associated with events that are also associated with alcohol beverage companies. Codes of best practice should recommend the use of every reasonable endeavour to ensure that where other parties control and/or undertake events, including activities surrounding those events, they are consistent with national codes of best practice based on principles such as those presented in this document.

**Public Education**

Codes of best practice based on guiding principles such as those presented in this document should not discourage alcohol beverage companies and associations from being associated with conduct, activity or materials that educate the public, including underage persons, about the consequences of alcohol consumption and the possible consequences of excessive or underage consumption.

**For more information**

If you are interested in viewing existing codes for advertising and marketing of alcohol beverages, several examples are posted on the WHO Committee Page in the “Marketing Codes for Beverage Alcohol” section.

- July 2011 (Updated December 2015) -
FIVS Digital Marketing Annex

FIVS has developed an Annex covering Digital Marketing Issues related to the Guiding Principles for Advertising and Marketing Practices for Alcohol Beverages in response to the rapid growth and increased relevance of digital marketing and advertising. This Annex outlines industry standards for marketing and advertising via digital platforms and seeks to ensure that the FIVS Guiding Principles are applied effectively within emerging digital platforms.

The following are key social media terms (e.g., forums, features and content) relevant to the alcohol beverage trade.

- **Affirmation Tool**: A process that affirms the user is of legal purchasing age.
- **Digital Platforms**: Interactive forms of advertising including but not limited to: social networks (e.g., Facebook, LinkedIn), video sharing (e.g., Vine, YouTube), blogs, microblogs (e.g., Twitter, Tumblr), apps and websites.
- **Forwardable Content**: Content that can be shared, emailed, or sent to other users.
- **“Remember Me” Tool**: A button that allows users to save their login information for a particular digital platform on their computer.
- **User-Generated Content**: Content created or posted by consumers on a digital platform.

1. Users under the legal purchasing age should be prevented from accessing alcohol-related digital advertisements.

**Explanation of the principle:**

Underage users have greater access to alcohol-related digital advertisements than ever before. It has become necessary for industry members to take additional steps to ensure that their digital campaigns are not accessible to underage users.

**Examples of the scope of the principle and its application in codes of best practice:**

Consideration should be given to including provisions such as the following in codes of best practice:

- Digital marketing and advertising campaigns should feature an *age affirmation tool* upon entry to confirm that only persons of legal purchasing age are accessing their information.
  - Visitors may be invited to set-up a “Remember me” option to facilitate easier access to the site in the future, but:
    - This invitation should be accompanied by a reminder to the visitor to consider the appropriateness of this option if the computer is shared with youth who are not at an age where they can legally purchase the product.
- Direct electronic communications may contain a link allowing direct entry to the site (i.e. by-passing any age affirmation requests) for registered members who have already affirmed that they are over 18 years of age.

- If information provided on the digital platform can be forwarded, a warning should be included pertaining to the risks of sharing information with underage persons.

- In cases of unidirectional communication, i.e. solely from the producer to the consumer, industry members should not directly communicate with users within a space that has greater than 30% members under the legal purchasing age. Digital platforms should adopt regular demographic surveys of user ages to ensure they are not attracting underage youth.

- Industry members should post clear guidelines for user-generated content on their digital platforms, regularly review it for compliance, and deal with violations appropriately (e.g., user suspension, account deletion, etc.).

2. User privacy should be protected in digital marketing campaigns.

Explanation of the principle:

Digital marketing and advertising campaigns provide ample opportunities for industry members to collect personal information on users of their digital platforms. As a result of this information collection, industry members should take necessary steps to ensure the privacy of their users’ personal information.

Examples of the scope of the principle and its application in codes of best practice:

Consideration should be given to including provisions such as the following in codes of best practice:

- Digital platforms should feature an age affirmation tool before the collection of any information, and should only collect information from those who have indicated that they are above legal purchasing age.

- Digital campaigns should offer the option to “opt in” or “opt out” of receiving direct digital marketing communications.

- Digital platforms should include details about how personal data will be collected and used. Under no circumstances should the information collected be sold or shared with third parties.

- Industry members should take appropriate measures to keep user information secure and protected from loss or theft.

- Data collection must be conducted in accordance with all applicable laws.

Sources:
- Alcohol and Tobacco Tax and Trade Bureau - Use of Social Media in the Advertising of Alcohol Beverages
- Diageo - Digital Code & Guidelines Summary
- European Advertising Standards Alliance - Digital Marketing Communications
- European Commission - Regulations of Alcohol Marketing in 24 European Countries
- Facebook Advertising Policies
- spiritsEUROPE - Guidelines for the Development of Responsible Marketing Communications
- The Alcohol Beverages Advertising (and Packaging) Code - Best Practice for the Responsible Marketing of Alcohol Beverages in Digital Marketing
- Wine Institute - Guidance Note on Digital Marketing Communications

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