



Alcohol Advertising: A Global Legal Perspective

SECOND EDITION



ABOUT GALA

The Global Advertising Lawyers Alliance (GALA) is the leading network of advertising lawyers in the world. With firms representing more than 80 countries, each member has the local expertise and experience in advertising, marketing and promotion law that will help your campaign achieve its objectives, and navigate the legal minefield successfully.

GALA is a uniquely sensitive global resource whose members maintain frequent contact with each other to maximize the effectiveness of their collaborative efforts for their shared clients. GALA provides the premier worldwide resource to advertisers and agencies seeking solutions to problems involving the complex legal issues affecting today's marketplace.

For further information about GALA, please contact the relevant member directly or alternatively GALA's Executive Director, Stacy Bess at:

Global Advertising Lawyers Alliance

488 Madison Avenue, 10th floor, New York, NY 10022

Tel: 212.705.4895 | Fax: 347.438.2185

Email: sbess@galalaw.com

www.galalaw.com

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FOREWORD

While the consumption of alcohol is perfectly legal in most countries, the advertising of alcoholic beverages is heavily regulated, and the rules governing alcohol advertising vary widely.

There are many common themes, however, that run throughout regulatory and self-regulatory codes world-wide, such as prohibitions on linking alcohol with sexual success, tough or daring behaviour or the success of a social event. People must not be shown drinking excessively or in circumstances where it would be unsafe or unwise to do so, such as while driving, operating machinery or in a working environment. Advertising must also not appeal to young people, or even feature them. And advertising must not focus on the strength of an alcoholic beverage. This book will help practitioners to understand how those principles have been applied in different countries of the world.

But where this book should really add value is in highlighting those rules which are outside the confines of what a responsible advertiser has come to expect, as well as highlighting the changes to the regulation of alcohol advertising in recent years, and particularly since the publication of the previous GALA report published in November 2011.

The worldwide trend for increased restrictions on the regulation of alcohol marketing continues in 2015, which has seen France move to further protect its young people from exposure to alcohol advertising. Previously, there was a ban on alcohol ads in newspapers/magazines, radio and online, where the media was “mostly” targeted at minors. Now, this ban extends to such media where less than 70% of the audience are 18 or over.

By the end of 2015, it is expected that Ireland will enact a law which will have far reaching implications for alcohol advertising. In addition to mandatory health warnings on labelling and promotional material and a focus on protecting young people, restrictions on broadcast advertising scheduling, the placement of outdoor advertising and possible restrictions on sports event sponsorship is expected. Scotland has seen a ban on multi-buy alcohol promotions, restrictions on the display and promotion of alcohol in store and regulation



regarding future minimum unit pricing (although the latter may fall foul of EU rules). There is a push for these laws to be replicated in the rest of the UK. There are also calls in the UK and China for further restriction on the scheduling of alcohol ads on TV.

The impact of religion within the politics of Turkey may be responsible for recent severe restrictions on the sale and promotion of alcohol in the country. This year's new rules include a blanket ban on alcohol advertising and promotion across all media and portrayal of consumption of alcohol in TV, films and music videos. The recent mass immigration across Europe may ultimately impact on socio-political views and potentially on advertising laws in the years to come.

As of 2015, Russian law, which generally prohibits advertising which promotes alcoholic drinks, now allows advertising of Russian produced wines in periodic print media and on late night TV. As of 2014, subject to certain limitations, beer can be advertised including promotion permitted during sports events. However, at the end of 2018, when the FIFA World Cup is done and dusted, the temporary relaxation for beer advertising will come to an end.

Two things have emerged from the writing of this book. First, despite some consistent themes in the rules for alcohol advertising around the world, many important differences remain between nations. Second, as political forces continue to ebb and flow, and carry the rules for alcohol advertising in different directions, we can only predict continuous change and inconsistency for the foreseeable future.

Brinsley Dresden
Partner, Lewis Silkin LLP
GALA United Kingdom

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