

# 18

ALCOHOL



## Principle

Marketing communications for alcoholic drinks should not be targeted at people under 18 and should not imply, condone or encourage immoderate, irresponsible or anti-social drinking.

The spirit as well as the letter of the rules applies.

## Definition

The rules in this section apply to marketing communications for alcoholic drinks and marketing communications that feature or refer to alcoholic drinks, including where a soft drink is promoted as a mixer. For the purposes of applying these rules, alcoholic drinks are defined as drinks containing more than 0.5% alcohol; low-alcohol drinks are defined as drinks containing more than 0.5% and up to and including 1.2% alcohol. Where an ad for a drink at or below 0.5% has the effect of promoting an alcoholic drink, these rules apply in full.

These rules are not intended to inhibit responsible marketing communications that are intended to counter problem drinking or tell consumers about alcohol-related health or safety themes. Those marketing communications should not be likely to promote an alcohol product or brand.

For the purposes of the rules in this section, the word 'drink(s)' refers to drinks with a strength above 0.5% ABV.

## Rules

- 18.1 Marketing communications must be socially responsible and must contain nothing that is likely to lead people to adopt styles of drinking that are unwise. For example, they should not encourage excessive drinking. Care should be taken not to exploit the young, the immature or those who are mentally or socially vulnerable.
- 18.2 Marketing communications must not claim or imply that alcohol can enhance confidence or popularity.
- 18.3 Marketing communications must not imply that drinking alcohol is a key component of the success of a personal relationship or social event. The consumption of alcohol may be portrayed as sociable or thirst-quenching.
- 18.4 Drinking alcohol must not be portrayed as a challenge. Marketing communications must neither show, imply, encourage or refer to aggression or

unruly, irresponsible or anti-social behaviour nor link alcohol with brave, tough or daring people or behaviour.

- 18.5** Marketing communications must neither link alcohol with seduction, sexual activity or sexual success nor imply that alcohol can enhance attractiveness.
- 18.6** Marketing communications must not imply that alcohol might be indispensable or take priority in life or that drinking alcohol can overcome boredom, loneliness or other problems.
- 18.7** Marketing communications must not imply that alcohol has therapeutic qualities. Alcohol must not be portrayed as capable of changing mood, physical condition or behaviour or as a source of nourishment. Marketing communications must not imply that alcohol can enhance mental or physical capabilities; for example, by contributing to professional or sporting achievements.
- 18.8** Marketing communications must not link alcohol to illicit drugs.
- 18.9** Marketing communications may give factual information about the alcoholic strength of a drink. They may also make a factual alcohol strength comparison with another product, but only when the comparison is with a higher-strength product of a similar beverage.
- Marketing communications must not imply that a drink may be preferred because of its alcohol content or intoxicating effect. However, low-alcohol drinks may be presented as preferable because of their low alcoholic strength, provided that the alcohol content of the drink is stated clearly in the marketing communication.
- In the case of a drink with relatively high alcoholic strength in relation to its category, the factual information should not be given undue emphasis.
- 18.10** Marketing communications that include a promotion must not imply, condone or encourage excessive consumption of alcohol.
- 18.11** Marketing communications must not feature alcohol being handled or served irresponsibly.
- 18.12** Marketing communications must not link alcohol with activities or locations in which drinking would be unsafe or unwise.

Marketing communications must not link alcohol with the use of potentially dangerous machinery or driving. Marketing communications may feature sporting and other physical activities (subject to other rules in this section; for example, appeal to under-18s or link with daring or aggression) but must not imply that those activities have been undertaken after the consumption of alcohol.

**18.13** Only in exceptional circumstances may marketing communications feature alcohol being drunk by anyone in their working environment.

**18.14** Marketing communications must not be likely to appeal particularly to people under 18, especially by reflecting or being associated with youth culture. They should not feature or portray real or fictitious characters who are likely to appeal particularly to people under 18 in a way that might encourage the young to drink. People shown drinking or playing a significant role (see rule 18.16) should not be shown behaving in an adolescent or juvenile manner.

**18.15** 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.

**18.16** People shown drinking or playing a significant role must neither be nor seem to be under 25. People under 25 may be shown in marketing communications, for example, in the context of family celebrations, but must be obviously not drinking.

**18.17** Marketing communications may give factual information about product contents, including comparisons, but must not make any health, fitness or weight-control claims.

The only permitted nutrition claims are "low-alcohol", "reduced alcohol" and "reduced energy" and any claim likely to have the same meaning for the consumer.

## Alcohol alternatives

Alcohol alternatives are non-alcoholic drinks (for the purposes of the CAP Code, those at or under 0.5% ABV) that are intended to replace alcoholic drinks in contexts where they would normally be consumed, such as non-alcoholic beer. A marketing communication for a non-alcoholic drink will be subject to the below rules if it is likely to be understood by the audience as an ad specifically for an alternative to alcohol, whether in general or as a non-alcoholic

version of a particular alcoholic drink. Where an ad for a drink at or below 0.5% has the effect of promoting an alcoholic drink, the Alcohol rules apply in full.

- 18.18** If a marketing communication for an alcohol alternative refers to or depicts alcohol, those references or depictions must comply with the rules relating to responsible portrayal of alcohol consumption, which are 18.1-18.8 and 18.10-18.13.
- Where a marketing communication is for an alcohol alternative that shares the same brand as an alcoholic drink then this rule will not apply to references to or depictions of the brand name, provided that the primary effect of the marketing communication is to promote the alcohol alternative. References to the shared brand name, in any part of the marketing communication, without a reference to the alcohol alternative, are likely to be understood as references to alcohol.
- 18.19** Marketing communications for alcohol alternatives must include a prominent statement of their ABV. Marketing communications for alcohol alternatives are not prohibited from making a feature of their ABV or from making preference claims on this basis.
- 18.20** Marketing communications for alcohol alternatives may depict the product in circumstances where consumption of alcoholic drinks would be inappropriate or unsafe – such as prior to driving or daring physical activities – if it is clear the product is an alcohol alternative. Marketing communications must not encourage or condone consumption of alcohol in the same circumstances or imply the product is alcoholic. Resemblance to an alcoholic drink (as in rule 18.18) is acceptable as long as the ad makes explicitly clear the product featured is an alcohol alternative.
- 18.21** Marketing communications for alcohol alternatives must not contain content likely to disparage sobriety, or condone or encourage heavy, problematic, or otherwise higher-risk alcohol consumption as desirable. They must not present alcohol alternatives as a way to increase alcohol consumption beyond responsible levels.
- 18.22** Marketing communications for alcohol alternatives must not be likely to appeal particularly to people under 18, especially by reflecting or being associated with youth culture. They should not feature or portray real or fictitious characters who are likely to appeal particularly to people under 18 in a way that might encourage the young to drink alcohol or alcohol alternatives. People shown drinking or playing a significant role (see rule 18.24) should not be shown behaving in an adolescent or juvenile manner.

**18.23** Marketing communications for alcohol alternatives 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 alcohol alternatives if more than 25% of its audience is under 18 years of age.

**18.24** People shown drinking or playing a significant role in marketing communications for alcohol alternatives must neither be nor seem to be under 25. People under 25 may be shown in marketing communications, for example, in the context of family celebrations, but must be obviously not drinking.