

SUBMISSION TO THE ASA REVIEW ON ALCOHOL ADVERTISING
FROM THE
GROUP AGAINST LIQUOR ADVERTISING
February 2003

The Group Against Liquor Advertising (GALA) appreciates the opportunity to make a submission, and asks to be heard orally also.

SUMMARY OF CONCLUSIONS

- 1. The onus of proof that alcohol advertising does not increase drinking should be on the liquor industry. The “market share” argument would not justify such huge expenditure on advertising if there was no effect on consumption.**
- 2. The Review Team should make recommendations for further research to answer questions about the effect of alcohol advertising on youth drinking, so that decisions about alcohol advertising are evidence-based. There is little being done at present on this important aspect.**
- 3. Recent permissive legislation, and marketing of drinks for young people strengthens the need for a ban on alcohol advertising. Review Team members should read the chilling evidence of sophisticated targeting of specific groups aged 11 to 15, and 16 to 17. See Appendix C, especially pp 602-4.**
- 4. Because of repeated industry irresponsibility, and increasing problems, alcohol advertising should be prohibited. If allowed to continue it should be subject to review by a parliamentary Health Select Committee.**
- 5. The words “in particular” should be deleted from the code relating to appeal to young people.**
- 6. The advertising curfew should be extended to 10pm on Friday and Saturday nights.**
- 7. Broadcast alcohol advertising should come under the jurisdiction of the BSA.**
- 8. There should be no relaxation of NZ codes to harmonise with Australian ones.**
- 9. Broadcast sponsorship advertisements should be subject to the same rules and hours of transmission as brand advertisements.**
- 10. Heroes of the young should not be used in moderation advertisements.**

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1. Background

GALA was established in 1992. It is a nationwide voluntary organisation which enjoys the support of many individuals and groups. We are internationally affiliated with the Global Alcohol Policy Alliance. This group was set up at a conference in 2000 co-sponsored by the World Health Organisation.

For the past 10 years GALA has been educating and advocating for healthy alcohol policy. We recognise that alcohol is part of society, but that because of its mind altering properties it needs special legislative restraint.

GALA promotes a society free of alcohol advertising and sponsorship, in which young people can make choices about drinking without undue pressure from advertising.

2. Terms of reference

“The relationship between broadcast advertising and long term liquor consumption trends.”

Our comments are under 5 headings, since important principles are involved, and we must be careful about inherent assumptions.

(a) The onus of proof is on those wishing to change the status quo. We believe it should be the opposite. The voluntary code on advertising, the wording of which is almost identical throughout the developed world, is accepted internationally by almost everyone, including the liquor industry. There is universal agreement that young people are susceptible to peer pressure, striving to be grown-up, and to succeed socially and sexually. The code is designed to prevent the exploitation of these susceptibilities, but is deliberately and frequently broken. See NZ Herald article, appendix A.

Supposing there was no alcohol advertising and the present serious situation of youth binge drinking existed. If advertising was then proposed, much directed towards youth, the onus of proof that it did not increase youth drinking would, it could be argued, be with the proponents. The fact of wishing to spend \$50 million on advertising and the same on sponsorship would weigh heavily in the discussion.

The social situation is of such concern that it has provoked major articles in the ‘Listener’ (November 23 2002) and ‘North and South’ (December 2002) and others unconnected with our group

(b) The amount of liquor consumed in a country is made up of innumerable personal drinking decisions. These are influenced by many factors including advertising, price, marketing strategies, availability, peer pressure, parental and societal examples etc. It is simplistic to link advertising and consumption as if this was the only factor involved.

What evidence, what research, does the review team envisage which could possibly prove the case as stated in the frame of reference ?

There is some overseas evidence of the effect of cessation of advertising on consumption, and much corroborative evidence of the effect on advertising. This will be presented later.

(c) The fact that the liquor industry spends \$50 million on advertising and the same on sponsorship indicates that it has extensive market research supporting such expenditure. The claim that it is all for ‘brand loyalty’ rings hollow. If we are to believe that each brand consumption is helped by the expensive advertising, are we to believe that the total consumption of all brands combined is not influenced at all ? This defies logic.

Additional evidence is that the liquor industry vigorously opposes the abolition of advertising and sponsorship, but supports measures known not to influence consumption. Research shows that education by itself unfortunately does not reduce consumption.

For a full list of measures which have been proven to be effective internationally see the list compiled by the Global Alcohol Policy Alliance, appendix B.

(d) In addition to asking what evidence is envisaged, we believe that an analogy helps clarify the situation regarding researched evidence as against everyday experience. We would like to ask the Team 2 questions.

First, if you wished to encourage a young person in musical success, how many of you would surround him/her with encouragement to practise an instrument, and to believe that music was important and would lead to social success? How many would support the opposite?

Second, How many of you can quote any research or statistical evidence that the first belief is correct?

This illustrates the inherent bias in the onus of proof demand. There are many matters of sensible everyday experience in which the onus of proof would be on those against the common experience. Using the sophisticated marketing tools of our most powerful media to sell young people the untrue dreams of the benefits of alcohol, as against the bitter reality, is not a sensible thing to do. It defies common sense.

(e) The level of consumption is a coarse measure which does not indicate the amount consumed by different age groups. In the past 10 years consumption has declined among older people, but has doubled among teenagers who now drink 8.2% of total alcohol consumed. (APHRU 2001) This group is especially prone to risky behaviour thus suffering more harm from alcohol. The effect of advertising on children and teenagers needs to be considered quite apart from the total consumption.

Conclusion: The onus of proof that alcohol advertising does not increase drinking should be on the liquor industry.

“Any new evidence since the Barker report to justify further restrictions or liberalisation of broadcast advertising.”

We consider that to accept only new evidence is too restrictive, for 3 reasons.

First, this is a new Review Team. Would they have reached the same conclusion from the evidence as the Barker Team did? Has the present team read and evaluated the evidence presented to the two previous reviews?

Second, we consider that if the Team was only to consider new evidence, the previous review team should have put in place mechanisms to gather this evidence. There has been very little new evidence in New Zealand, on the impact of advertising on drinking. A recent authority from the USA admitted that evidence was scarce because little research has been done, and because of the difficulty of researching a multifactorial problem. We find it extraordinary that when millions of dollars are spent on the most powerful mass media in history to process our young people, there is a dearth of research on this subject worldwide, in the face of huge teenage drinking. Advertising might be one of the most important factors, but it has been put in the too-hard basket. We think that there is sufficient evidence on the effect of advertising that we should err on the side of caution unless firm research evidence to the contrary has been obtained.

Questions that should be answered are :

- (a) Does alcohol advertising increase youth drinking?
- (b) Does it recruit new drinkers?
- (c) Does it increase addiction and other types of harm?
- (d) What is the moral justification for researching and producing alcohol aimed at those so young that it is illegal for them to purchase it?

Third, the Barker Review placed emphasis on new evidence. This implies that the previous (Potter) review came to a correct conclusion and that (as the 1998 review stated) “the present situation is working well.” We do not consider this to be so. The Potter review decided against the weight of evidence, and certainly against overwhelming submissions of opinion. Their minor adjustments to the codes are ineffective.

They played into the hands of the industry, which agrees, as a tactical move, to tighten the codes then deliberately flouts them. We have strong evidence of this from our international affiliates. See GAPA website www.alcohol-alliance.org

Conclusion: The Review Team should make recommendations for research by the recognised research organisations, to answer the above questions.

“Changes in social attitudes and public policy since the Barker report”

Public policy has become considerably more permissive in the past 5 years. Changes include the sale of beer in supermarkets, longer hours of sales, and the lowering of the minimum drinking age. The last has now been reversed in the USA, because of strong evidence (Dr Harold Holder.)

Marketing strategies have also changed. These include the development of spirit-based RTD’s (ready to drink) which are fruit, milk or sweet flavoured, colourfully packaged and given wacky names, to attract young drinkers. Many are designed to attract ‘starter’ drinkers aged 11 to 15. Some are packaged in screw top bottles, more like spirits bottles, which can easily be used for covert drinking, and have high alcohol content giving a ‘bigger bang for your buck’. They do not receive high profile advertising because it is unlikely to be cost-effective and could attract attention from regulatory authorities. The Review Team should be aware of the expensively researched and sophisticated targeting of young people described by Jackson et al in Britain. Although it is illegal for minors to purchase these products, the industry has tailored them to their susceptibilities, knowing that they will obtain them from others or illegally. We think this demonstrates extreme social irresponsibility, and such an industry should have all advertising prohibited. Appendix C pp 602 to 604. (Jackson, M, Hastings, G et al)

Though these juvenile products are little advertised, the general promotion through alcohol advertising of desirable sophistication and social/sexual success flow down to young teenagers.

Advertising has also changed, and targets young people in subtle ways. TV advertising especially advertises dreams, images and lifestyles, rather than products.

There is increased anecdotal evidence of alcohol related street disorder, violence, and admissions to hospital emergency departments of young teenagers, over the past 5 years.

Conclusion: Recent permissive legislation, and marketing of drinks for young people strengthens the need for a ban on alcohol advertising.

3.Recent evidence of the impact of alcohol advertising.

In New Zealand research by S.Casswell and J-F Zhang involved a longitudinal study of Dunedin children up to the age of 21 years. They found that the amount of beer drunk at age 21 was strongly related to liking the advertisements when aged 18. Those who liked the advertisements drank more than those who did not. It was also associated with higher levels of aggression.

Research commissioned by Lion on their chinheads advertisement, found that 85% of minors liked a chinheads billboard ad, 64% thought the humour appealed to minors, and 52% thought the ads had strong appeal to children and young teenagers. (Project Outdoor Chins, 2002)

A New Zealand study found that a liking for alcohol ads at age 18 was associated with heavier drinking at age 26. (Casswell, S, Pledger, M, and Pratap, S, 2002)

Overseas Research.

- A US study found that a halving of alcohol advertising expenditure between 1986 and 1993 resulted in a 10% drop in consumption, a 25% drop in teen binge drinking and a 7,000 pa drop in road deaths. (Hacker,GA and Stuart, LA)
- A US study at Michigan State University found that most young adults and teenagers thought that TV liquor ads showed that drinking was romantic. Most teenagers thought that liquor advertisers are seeking to reach teenage audiences. Students cited sexy, young looking and ‘cool’ characters, cute animals, humour, sports, up-beat music, fast-paced action and the portrayal of party scenes as key features demonstrating youth appeal. (Audience Responses to Televised liquor Advertising: Overview and Ten Reports. Robert Wood Johnson Foundation, 2002)
- A US study of teenagers preferences for image versus product advertising found overwhelming preference for image ads, finding them more persuasive and attention demanding.(Kelly,K and Edwards, R, 1998) Image advertising depicts desirable scenes or humorous remarks and just mentions the alcohol brand without pointing out its attributes..
- An Australian study found that radio alcohol advertisements were being targeted at minors. Of a group of 15 year olds, a quarter thought the advertisements targeted their age group. Of a group of 19 to 21 year olds almost half thought the advertisements were targeted at people younger than themselves.(Jones,S and Donovan, R. 2001)
- Another Australian study found that advertisers regularly break the codes by appealing to minors with colour, sexual imagery, and ambivalent messages. Their placement in youth magazines, public transport stops and billboards gives exposure of ads to minors. Some teenagers may be unaware they are being targeted. They identified internet sites with strong appeal to minors, through the use of games, videos, music and slang. (Carroll and Donovan, 2002)

- How much evidence is enough?

4. Recent evidence of youth drinking.

- Forty-four per cent of 14 to 17 year olds are heavy drinkers.(ALAC 2000)
- The average number of drinks consumed per session by 14 to 17 year olds has increased from 2-3 in 1990, to 5-6 in 2000 (Casswell S, and Bhatta K, 2001)
- New Zealand teenagers between 14 and 17 drink \$140 million worth of alcohol per year or \$2.7 M per week. This means that a teenager who drinks, will average 7 cans of beer, almost a quarter of a bottle of spirits, one and a half RTD and 105 ml of wine, per week. (Group Against Liquor Advertising 2002)
- Increased drinking by young women aged 15 to 17, 50% of whom report getting drunk at least monthly. (Wilkins C, Casswell S, et al 2002)
- The number of intoxicated youths presenting at the Auckland Hospital emergency department has increased. An extra 64 intoxicated 15 to 19 year olds were seen in 2001 than in the previous year. (Everitt R, Jones P, 2002)

5. Evidence of harm from alcohol.

This is a small selection of evidence.

- The World Health Report 2002 rates alcohol among the top 3 risk factors for death, disease and disability in developed countries.
- There is a strong link between alcohol and crime, especially violent crime. The precise figures are not known for NZ, but in Canada about 50% of violent crimes involve people who have been drinking. In USA alcohol is involved in up to 67% of homicides. There is anecdotal evidence of this in NZ.
- 968 people died in accidents in NZ in 2001 (ACC). Swedish researchers have found that 44% of unnatural deaths are alcohol related. This would equate to about 400 lives per year in NZ.
- About a third of youth suicides are alcohol related.
- The total economic cost of harm from alcohol is estimated at \$14 billion per year (ALAC 2002)

6. How alcohol advertising works.

Alcohol advertising exploits the insecurities and desires of vulnerable people especially teenagers. They are a special case because of their acute susceptibility to peer pressure and desire to be sophisticated adults. This is why the code wording is accepted internationally. (See appendix A.) Advertisements appeal to the desire for manliness, confidence, sexual, sporting and social success, and group acceptance. Alcohol is depicted as offering fun, excitement and a happier life.

Images and desired lifestyles are associated with drinking.

Advertisements work at an emotional level. Their effect is cumulative. Advertisements for any brand of drink encourage drinking.

Conclusion: Alcohol advertising should be prohibited. If allowed to continue it should be subject to review by a parliamentary Health Select Committee.

7. Should the codes be altered?

Principle 4, "Liquor advertisements shall not be directed at minors nor have strong or evident appeal to minors in particular."

Minors are an important source of revenue for the liquor industry, both as present and future drinkers. There is strong temptation to appeal to them through advertising, which we have noticed to be increasing since the Barker review.

Many advertisements have strong and evident appeal to minors, as shown by the research presented by GALA and others to the two previous reviews.

The Lion chinheads had major appeal to minors. It is difficult to see how advertisements which appeal to 18 and 19 year olds do not also appeal to minors. What sort of advertising does this code prevent? The use of Mickey Mouse or Pooh bear? The words “in particular” were used by the ASCB to defeat a complaint against the chinheads. This gives permission to advertise to minors except in the most grossly obvious way. We consider that the letter and not the spirit of the code was upheld.

Conclusion: The words “in particular” should be deleted from Principal 4 of the code.

Guideline 4a directs the times at which advertisements may be shown. Research by the BSA (Walters R & Zwaga W, 2001) found that many children are watching TV later on Friday and Saturday nights, thus being exposed to liquor advertising.

Conclusion: The curfew on advertising should be extended to 10pm on Friday and Saturday nights.

8. The Complaints Process.

The Barker report appears to have ignored the comments from GALA, and concluded that “the code is working well and there have been a diminishing number of complaints.”

Not only GALA, but members of the public are aware of constant breaches of the codes. In particular the use of heroes of the young, the change of mood, the appeal to minors, boisterous group scenes, the use of sex appeal, social success, models over 25 who are dressed and made up to look much younger. On many of these issues GALA has made complaints which have not been upheld.

Dissatisfaction with the process is not only with the outcome, but with its tardiness (the 6 week turnaround is a joke), complexity and lack of punitive sanctions. We find ourselves acting as watchdogs over rules we disagree with. On many of these points, GALA and others have made complaints which have not been upheld on the basis of hair-splitting arguments. Not unexpectedly, many don't bother to complain now.

Conclusion: Broadcast alcohol advertising should come under the jurisdiction of the BSA.

9. The Australian code.

The harm from alcohol, binge drinking and youth drinking are as prevalent in Australia as in New Zealand.

Although there may be the occasional Australian advertisement seen by some NZ viewers, this seems insufficient to relax the codes. Perhaps the Australians should consider tightening theirs.

Conclusion: There should be no relaxation of NZ codes to harmonise with Australian ones.

10. Broadcast sponsorship advertisements.

These should be subject to the same rules and hours of transmission as brand advertisements.

11. Heroes of the young in moderation advertisements.

The response of GALA is identical to that in our submission to the Barker review. The use of heroes of the young would

- Normalise drinking among the young
- Encourage minors to drink

There are no clear guidelines as to what constitutes moderate drinking. Even heavy drinkers think they are moderate because they know someone who drinks more.

Conclusion: Heroes of the young should not be used in moderation advertisements. Minors should not be encouraged to drink even moderately. Recent research has found that alcohol damages the immature brain. (American Medical Assn report 2002) The chairman of the American Medical Association and the Director of the World Health Organisation deplore the targeting of young people by alcohol advertising.

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SUBMISSION TO THE BROADCASTING STANDARDS AUTHORITY
FROM
THE GROUP AGAINST LIQUOR ADVERTISING
ON THE PROMOTION OF LIQUOR CODE

FEBRUARY 2003

Answers to questions circulated with the ASA review of liquor advertising.

8 (i) We consider this statement incorrect. We have seen and heard many programmes of the types mentioned. On Feb 11 this year the TV breakfast programme had a German winemaker talking about NZ Riesling. No one would complain about this.

8(ii) This statement is also incorrect. Hundreds of signs promoting liquor are shown during coverage of sports events without attracting complaints. Only very blatant cases have any chance of a complaint being upheld. Last November Mr Cliff Turner, GALA Complaints Secretary, complained about coverage of the Canterbury Draught Cup. There was a plethora of Canterbury Draught advertising shown, and at the prize-giving the Lion breweries waxed lyrical about the beer. TVNZ rejected the complaint, and Mr Turner did not think it worthwhile to go to the BSA.

8(iii) To suggest a storyline which features liquor consumption is “in potential breach of the code” is ridiculous. Coronation Street has been running here for at least 30 years and although scenes in the pub are frequently shown, we would be surprised if a complaint has ever been upheld.

It is true that difficulties can occur when international sporting and cultural events are shown live and perhaps such broadcasts should be exempted from the rules. Delayed broadcasts should be edited to ensure compliance with the standards.

The difficulty with broadcasts from overseas should not be sufficient reason for relaxation of the rules for domestic broadcasts.

8(iv) Yes, a separate Promotion of Liquor Code is needed to prevent the liquor and advertising industries from taking liberties.

Conclusion: The Programme of Liquor Code should not be altered. An exception could be made for overseas live broadcasts.

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