



The Alcohol Advertising Board

Code of practice for marketing of alcoholic beverages
in Denmark

Everyone has the right to responsible marketing

Producers, industries, consumers and the authorities are agreed that the marketing of alcoholic beverages should be carried out responsibly and with due respect for health issues.

Alcohol marketing must never be aimed at children and young people. Alcohol must not be marketed in a way that encourages excessive consumption. The marketing must not be provocative or give the impression that alcohol consumption can bring success. The marketing must always take into consideration the social and health aspects of alcohol consumption.

Since 2000 the Alcohol Advertising Board has been ensuring that the code of practice for marketing alcoholic beverages in Denmark is enforced. The Board receives and rules on complaints about alcohol marketing – and the Board can also choose to take up cases on its own initiative.

The Board is chaired by an independent chairman. The members of the Board represent both business and consumer interests.

The Alcohol Advertising Board assesses whether the industry's marketing observes the code of practice. Anyone can complain about the marketing of alcoholic beverages at www.alkoholreklamaevnet.dk, where the decisions will be published. The Board's rulings are expected to be followed up by immediate action.

The following organisations are represented on the Alcohol Advertising Board:



Bryggeriforeningen



FORBRUGER RÅDET

DRRB

FORENINGEN AF
DANSKE
SPIRITUSFABRIKANTER

DANSK
ERHVERV

HØRESTA



Background

The Alcohol Advertising Board has been set up in 2000 by the Danish Ministry of Economic and Business Affairs to enforce the code of practice for the marketing of alcoholic beverages in Denmark, which previously had been taken care of by the Consumer Ombudsman.

The Alcohol Advertising Board is an example of co-regulation. The key features of co-regulation are that the code of practice is supported by an enforcement system, and that this enforcement is administered by an independent board that is established out of business and consumer interests.

The work of the Board

The Alcohol Advertising Board's task is to handle and rule on complaints concerning the marketing of alcoholic beverages in Denmark.

You can make a complaint to the Alcohol Advertising Board if you believe that marketing of alcoholic beverages fails to observe the marketing code for alcoholic beverages. There is a free right of complaint to the Board. Complaints may be made by individuals, companies or organisations. The Alcohol Advertising Board can also choose to take up a case on its own initiative.

A complaint must refer to one or more specific marketing initiatives in Denmark. There is no deadline for complaints; however, the complaint must concern a current marketing initiative, or one that has taken place not more than one year earlier.

Read more about how to complain and read the rulings at www.alkoholreklameraevnet.dk.

If the Alcohol Advertising Board finds that a specific advertisement or advertising campaign is in contravention of the code, the Board will

Background

criticise the marketing initiative and in the case of gross or repetitive infringements publish the criticism by a press release. All complaints will be published on the web site, when decided upon. The Board's decisions are expected to be followed up by immediate action - either a direct halt to the marketing or a change in the marketing campaign.

Experiences since 2000 show that the Board has been effective at regulating the marketing of alcohol and that the rulings have been observed. The code has become an integral part of the industry's marketing, and marketing initiatives are being carried out with a greater degree of thoughtfulness and active shared responsibility.

The function and work of the Alcohol Advertising Board were recognised in the Danish National Consumer Agency's 2005 report *Marketing and price disclosure*: "The experiences from this enforcement system so far have been particularly good."

The Consumer Ombudsman and the Alcohol Advertising Board have drawn up a common understanding which ensures that they inform one another of the processing and outcome of cases relating to the marketing of alcohol.

Read more about the Alcohol Advertising board at www.alkohol-reklameraevnet.dk.

The composition of the Board

The Alcohol Advertising Board is chaired by an independent chairman, attorney Ejvind Sandal, and the Danish Consumer Council as well as The Danish Brewers' Association, are permanent members of the committee. The Danish Consumer Agency has a fixed observer status on the Board.

Background

The members of the Alcohol Advertising Board are:

- The Danish Consumer Council
- The Danish Brewers' Association
- The Wine and Spirits Organization in Denmark (V.S.O.D.)
- The Danish Chamber of Commerce
- The Organisation of Danish Spirits Producers
- The Association of hotels, restaurants and leisure industries of Denmark (HORESTA)
- The Danish Association of Advertising and Relationship Agencies (DRRB)
- The Federation of Retail Grocers in Denmark (DSK)

§1

The present set of rules shall apply to the commercial communications of all alcoholic beverages with an alcohol percentage by volume of 2.8 corresponding to a percentage by weight of 2.25 or more.

In the case of commercial communications aimed at children and adolescents, and commercial communications connected with sports, cf. items 5 and 6, the present set of rules shall apply to all alcoholic beverages.

The commercial communications of alcoholic beverages with a percentage by volume of less than 2.8 must not be easily mistaken for or interact with the commercial communications of alcohol with a higher percentage by volume.

Note: *The overall lower limit, which applied according to the 1990-guidelines from the Danish consumer ombudsman, was 2.8 percentage by volume.*

In order to strengthen the protection of children and adolescents, the lower limit has been removed in the case of commercial communications aimed at this target group. According to Socialforskningsinstituttet (The Danish National Institute of Social Research), almost $\frac{3}{4}$ of all school children go in for athletics in sports clubs and therefore the lower limit has also been removed in the case of commercial communications in connection with sports.

The term commercial communications also includes the use of the manufacturer's name or company logo, if the name or logo is generally associated with the production, sale or distribution of alcoholic beverages.

As previously, it will be possible for e.g. a brewery to market the manufacturer's name and logo together with non-alcoholic products when these are equally marketed.

§2

The present set of rules shall be a minimum standard. It shall encourage the companies involved in the commercial communications of alcoholic beverages to act ethically correct and to pay special attention to the social, health and consumer aspects connected with the consumption of alcohol.

***Note:** The observance of this set of rules starts within the individual company. Therefore, each company must decide whether it will use the same ethical norms in all its operating markets or whether it will adapt to each market's specific considerations and possibilities.*

§3

When commercial communications applies to alcoholic beverages, the companies shall pay special attention to the selection of advertising medium as well as to the content and design of the advertisement. The commercial communications campaign should not appear or seem insistent, provocative or in any other way specifically persuasive. The commercial communications campaign must not give the impression that a certain amount of consumption is healthy, ensures success or improves the consumer's mental or physical capacity.

***Note:** The companies must thoroughly consider all their commercial communications in the light of this rule.*

Commercial communications of alcoholic beverages must not encourage major or excessive drinking and must not present abstinence or moderate consumption in a derogatory manner.

Commercial communications is not allowed in workplaces, colleges and similar institutes of education. However, to the extent that a license or occasional authorisation to serve alcoholic beverages in these places has been granted, commercial communications may take place in connection with this, insofar as it is limited to what is practically necessary.

Code of Practice

Commercial communications must not show consumption of alcoholic beverages in workplaces, colleges and similar institutes of education.

Furthermore, commercial communications must be carried out with appropriate consideration for the social responsibility and must be based on the principles of fairness and honesty. Commercial communications must not combine the consumption of alcoholic beverages with hazardous conduct as e.g. driving a vehicle, operating potentially dangerous machinery or carrying out any other potentially hazardous activities.

In their commercial communications, the companies must not use individuals whose opinion or appearance will carry special weight due to his or her status or position in the society.

The present set of rules must be regarded as supplementary to the provisions of the food legislation. Among other things, these provisions prohibit commercial communications from stating that a foodstuff has been recommended by physicians or that it may prevent, ease or positively affect any diseases or symptoms of disease. Pictures of health staff and the like are also prohibited.

§4 **The present set of rules applies irrespective of the media used by the companies in their commercial communications of alcoholic beverages.**

Note: *The present set of rules applies to all companies, including e.g. manufacturers, wholesalers, retailers, restaurants as well as other public houses – permanent as well as temporary – provided that they carry on trade in accordance with the Danish Marketing Practices Act.*

The present set of rules applies to any sort of commercial communications irrespective of the medium used by the company. Commercial communications may e.g. be television advertisements, commercial communications on the Internet, screen advertisements, "in-store" business, "out-door" business, local stores' "magazines" with special offers, brochures, Direct Mail, sponsorships and press releases.

Normally, the awarding of prizes and grants will only be regarded as commercial communications, if the company in connection with the awarding of such prizes and grants uses the company name, trademarks etc. in such a way that it is in the nature of advertising.

§5 **Irrespective of form, the commercial communications of alcoholic beverages must not be aimed at children and adolescents.**

Note: *Children/adolescents and alcohol do not belong together. Therefore, it is important that the companies prepare their commercial communications of alcoholic beverages in such a way that no wrong signals regarding the consumption of alcohol are sent to the adolescents. The commercial communications should also contribute to supporting the wish of society that children do not drink alcohol and that adolescents do not start drinking alcohol much too early in life.*

Code of Practice

In their commercial communications, the companies must not use individuals who due to their youthful appearance give the impression that young people drink alcoholic beverages.

For instance, the commercial communications of alcoholic beverages must not:

- take place at/in/near schools, high schools, day-care centres, playgrounds, children's and youth clubs and other institutes mostly used by children and adolescents,*
- take place in connection with events, for instance movies, which are specifically aimed at children and adolescents,*
- take place in media which are aimed specifically at children and adolescents,*
- take place in connection with pages aimed at children and adolescents in written as well as electronic media,*
- take place in the form of sponsorship of events or programmes which are specifically aimed at children and adolescents,*
- show role models which specifically appeal to children and adolescents,*
- use pictures, individuals, cartoons or icons, which specifically appeal to children and adolescents.*

No absolute age limit as regards the terms "children" and "adolescents" has been established when it comes to commercial communications. A natural starting point may be 18 years, which is the age of majority and the voting age. However, the companies must pay attention to the situations in which the group of children and adolescents, as regards age, lies just around 18 years, e.g. 15-21 years. The present set of rules may apply to such situations.

Shops and restaurants are allowed to market alcoholic beverages in the usual manner even though they may be situated near e.g. a school.

§6

The commercial communications of alcoholic beverages must not be associated with sports and athletics.

For instance, commercial communications of alcoholic beverages must not:

- **take place in sports clubs, sports centres and sports grounds (however, as previously, advertisements for alcoholic beverages on boards and walls in sports centres and sports grounds are permitted),**
- **be found in magazines which mainly cover sport,**
- **take place in connection with sports pages in written as well as electronic media,**
- **show sports situations or athletics, including sports stars,**
- **be found on personal sporting requisites, including sports clothes (however, the use of company name/logo in personal sporting requisites and sports clothes to adult athletes is permitted, insofar as the company name/logo also relates to the production, sale or distribution of non-alcoholic beverages).**

Note: *The prohibition against relating alcoholic beverages to sports and athletics does not prevent the company sponsoring a sports event from continuing to market this, insofar as it is done in accordance with the principles of the present set of rules.*

Insofar as a company has been granted a license or an occasional authorisation to serve alcoholic beverages in/near sports halls and sports grounds or in connection with sports events, the commercial communications of the serving should be limited to what is practically necessary.

§7

The above set of rules shall take effect as of 1 March 2000.

The above set of rules has been negotiated between:

Afholdsselskabernes Landsforbund (the National Federation of Temperance Associations in Denmark), Bryggeriforeningen (The Danish Brewers' Association), Dansk Handel & Service (Danish Commerce & Services), Danske Reklamebureauers Brancheforening (Danish Association of Advertising Agencies), De Samvirkende Købmandsforeninger i Danmark (the Federation of Retail Grocers in Denmark), Erhvervsministeriet (the Danish Ministry of Trade & Industry), Foreningen af Danske Spiritusfabrikanter (the Association of Danish Spiritproducers), Forbrugerrådet (the Danish Consumer Council), Fællesforeningen af Danske Brugsforeninger (Coop Denmark), HORESTA (the national employers' association and trade association of the hotel, restaurant and tourism industry in Denmark), Rådet for Større Færdselssikkerhed (the Danish Roads Safety Council), Sundhedsministeriet (The Danish Ministry of Health), Veterinær- og Fødevarerdirektoratet (The Danish Veterinary and Food Administration) and Vin og Spiritus Organisationen i Danmark (The Wine & Spirits Organisation in Denmark).

Members

The Board is chaired by an independent chairman, and the Danish Consumer Council as well as The Danish Brewers' Association, are permanent members of the committee. The Danish Consumer Agency holds a place as permanent observer in the Board.

The members represent the industry, the consumers, the retail, the restaurants and the advertising industries.



"Alcohol must be marketed responsibly"

Ejvind Sandal

Chairman, Attorney



"We will not accept alcohol marketing aimed at children and young people"

Anette Høyrup

The Danish Consumer Council



"We make sure that the code is an integral part of the marketing"

Niels Hald

The Danish Brewers' Association



"We want to help ensure that the marketing is carried out appropriately"

Anders Busch

The Wine and Spirits Organization in Denmark (V.S.O.D.)

Members



"Alcohol must be marketed with due respect for public health"

Lars Quistgaard Bay

The Danish Chamber of Commerce



"Alcohol must be marketed with care"

Martin Bjelgaard

The Organisation of Danish Spirits Producers



"The Alcohol Advertising Board obliges us to take active shared responsibility"

Martin Jørgensen

The Association of hotels, restaurants and leisure industries of Denmark (HORESTA)



"We want to ensure that the marketing takes into consideration the nature of the product"

Tina Bøggild

The Danish Association of Advertising and Relationship Agencies (DRRB)



"It is important that the marketing does not encourage excessive consumption"

Trine Busk-Jepsen

The Federation of Retail Grocers in Denmark (DSK)



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