
Alcohol
Advertising
Monitoring

2008

Compliance Report

Executive Summary

This report provides an overview of the results of EASA's coordinated monitoring compliance exercise with self-regulatory organisations across Europe on advertisements that appeared in 2007. We believe that this report once again demonstrates the role and added value of effective advertising standards.

This year's report highlights a number of improvements made to the alcohol advertising compliance exercise taking into account the remarks made by independent reviewers for the previous year.

- Firstly the parameters were expanded from 14 to 19 EU countries.
- Secondly, due to the extra country coverage this year, this monitoring exercise no longer covered the entire year but focused on the most important three months in terms of ad spend in the year per sector i.e. April, May and June for the Beer sector and October, November and December for the Wine and Spirits sectors.
- Thirdly, the independent reviewers included a representative of Generation Europe who has provided interesting input on behalf of youth to the exercise.

The overall compliance rate for television and print ads remains good at 94%. The inclusion of new countries has decreased slightly this year's compliance levels. However, when comparing the specific country responses for the last year with the current, the levels have not decreased.

Television ads showed the same good level of compliance as the overall compliance rate. Print ads showed a slightly higher level of compliance in percentage than TV ads (95%) while the absolute numbers of print ads in breach were higher due to the greater number of print ads in circulation.

The evidence on compliance shows that there is still room for improvement and that getting advice is essential. We would encourage advertisers and agencies to further avail themselves of copy advice in the area of alcohol as there are still low levels of use.

The independent reviewers point to the usefulness of such exercises in understanding not only the compliance levels but also the role and effectiveness of advertising standards.

I am thankful to Laure Alexandre for her hard work in coordinating the exercise and putting together the enclosed report.

Oliver Gray
Director General, EASA

This exercise was sponsored by:



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Abbreviations

EASA	European Advertising Standards Alliance
SRO	Self-regulatory Organisation
RDM	Responsible drinking message
EFRD	European Forum for Responsible Drinking

Lucien Bouis



A la demande de l'EFRD et des Brasseurs d'Europe j'ai accepté a nouveau cette année de procéder à un audit externe du Monitoring Boissons alcoolisées qui a retenu pour une double analyse des SROs et de l'EASA 2323 messages publicitaires diffusés dans 19 pays de l'Union européenne par annonces Presse (1860) ou par spots T.V (463) durant les 3 mois correspondant à la plus importante promotion compte tenu des boissons considérées (avril à juin 2007 pour les bières – octobre à décembre pour les vins et spiritueux).

Il s'agit là d'une base importante d'observation permettant la formulation d'enseignements significatifs susceptibles de remettre en question bien des a priori et commentaires tendancieux si ce n'est partisans.

Reprenant quelques réflexions émises lors du rapport du monitoring de 2006 il est nécessaire de se rappeler que cette observation se révèle des plus opportune par le fait qu'elle met en évidence le rôle des SROs dans leur pratique de conseil ou d'avis préalables et de suivi après diffusion en respect non seulement des lois et règlements mais avant tout des règles déontologiques nationales ainsi que celles définies par l'EFRD et les Brasseurs d'Europe et ce tant dans leur lettre que dans leur esprit.

Il est évident que les publicités pour les Boissons alcoolisées se trouvent plus que d'autres confrontées à plusieurs problématiques qu'il s'agisse de la mise en évidence du succès social, du succès sexuel, de la consommation excessive, de représentation d'activités dangereuses, de l'âge des personnages mis en scène, des performances physiques ou intellectuelles, de la sollicitation des mineurs.

Dés lors une attention soutenue à la mise en évidence de personnalités connues et reconnues par les adolescents tant dans le domaine du sport, du cinéma que dans celui des variétés musicales doit perdurer ainsi que celle concernant l'usage de dessins animés ou de visuels repris dans le monde des jeux électroniques.

Le monitoring fait ressortir que dans la plus grande proportion les principes déontologiques sont respectés. Il met par ailleurs en évidence – de façon comparative année après année – le petit nombre de message faisant l'objet de remarque et encore moins celui concernant les réclamations qui sont le plus souvent le fait de la concurrence et non des consommateurs, de leurs associations ou des organisations plus particulièrement soucieuses de la lutte antialcoolique.

Un des privilèges dont bénéficie l'auditeur externe d'un tel monitoring est celui de pouvoir, au fil des années, et au delà de l'assurance qu'il doit fournir aux Organismes professionnels et aux SROs quant à la rectitude des travaux d'analyse assuré par l'EASA, porter appréciation sur les arguments développés par les messages publicitaires.

Il est tout particulièrement nécessaire d'inclure les observations émises par les Organismes d'autodiscipline et l'Alliance dans une approche plus globale prenant en compte les préoccupations émises par le public et/ou des organismes sanitaires ainsi que par la Commission européenne.

with respect to national ethical rules, as well as those defined by the EFRD and The Brewers of Europe, both in letter and spirit.

At the request of EFRD and The Brewers of Europe, I accepted once more to be the independent reviewer of the advertising monitoring exercise for alcoholic beverages, which was carried out by the self-regulatory organisations and EASA. All in all 2582 advertisements which ran in 19 EU countries in the print media (2101 ads) and on TV (481) were reviewed for a period of three months corresponding to the highest advertising period of the beverages studied (April-to June2007 for beer and October to December for wine and spirits).

The monitoring exercise is an important information source that allows the formulation of important lessons that could challenge not only many a priori and biased comments but also partisan arguments.

Keeping in mind some of the considerations expressed in the 2006 monitoring report, it is necessary to highlight that this report not only highlights the role of SROs in their advisory role prior and after broadcast with respect to laws and regulations but also

Aujourd'hui ces préoccupations s'expriment compte tenu des risques de consommation abusive de certains produits par des adolescents (es) lors de rencontres festives ou dans une démarche compensatrice à un certain mal-vivre et des ravages qui en découlent tant au plan des accidents de la route qu'à celui de la santé à plus ou moins long terme

Il apparaît maintenant opportun que les Annonceurs concernés en liaison avec les autres partenaires du monde de la publicité et les SROs mettent au point de nouvelles règles prenant en considération, dans leurs expressions publicitaires les aspects sociétaux liés à la consommation de boissons alcoolisées. Il conviendrait que ces principes déontologiques élaborés au niveau européen soient plus largement diffusés au niveau national et que leur applicabilité dans les nouveaux médias soit clairement spécifiée

La mise en évidence permanente de la responsabilité de l'Industrie quant au contenu des messages et l'explicitation de la pratique des SROs sont les meilleures réponses aux velléités réglementaristes mais il est dans le même temps nécessaire que réelle conscience soit prise quant à la responsabilité au regard d'incitation à des consommations excessives de boissons alcoolisées et ce quelque soit leurs composition ou leurs dénominations commerciales.

En effet certaines actions consuméristes trouvent prétextes de certain manquement pour mettre en cause la publicité de ces boissons et tentent si ce n'est de la faire supprimer pour le moins d'en limiter le contenu, de l'interdire sur certains supports, d'en fixer les moments et les lieux de diffusion.

Qu'il me soit permis de remercier Laure Alexandre et Oliver Gray qui m'ont facilité l'accès à tous les messages et à tous les documents qui m'ont été utiles dans cette tâche et avec qui j'ai pu comme à l'habitude confronter mes appréciations. Je me félicite également du fait que cette année ces échanges ont bénéficié du point de vue d'une responsable de Génération Europe, son regard acéré, sa motivation et sa franche expression ont été d'un apport des plus important au bénéfice du monitoring.

Lucien BOUIS
Novembre 2008

It is clear that advertisements for alcoholic drinks are, more than others, faced with issues such as a possible linkage to social success or sexual success, excessive consumption, representation of hazardous activities, the age of the models involved, possible links to physical or intellectual performance, and appeal to minors. As a result advertisers need to tread carefully when using celebrities known to youth, both in the field of sport, film and music, as well as when using cartoons or visual material taken from the world of electronic games.

The monitoring exercise showed that in most cases the ethical principles are respected. Comparing the results of

the monitoring exercises undertaken in the different years, it becomes clear that only a small number of commercial messages are in breach of the code and even less are complained about. The few complaints that are generated are usually made by competitors or consumer organisations that campaign against alcohol, rather than consumers.

An external auditor becomes involved in these types of monitoring exercises to give assurance to both the self-regulatory organisations and the advertising industry that the analysis done by EASA is a fair one. One of the privileges of my position undertaken several years consecutively is to be able to get a feel of the messages developed in advertising.

It is especially necessary to put the comments made by the self-regulatory organisations and EASA in a more comprehensive light, taking into account the concerns expressed by the public and / or health agencies as well as the European Commission.

Today these concerns cover the risks of abusive consumption of certain alcoholic products by adolescents at parties or used purely as a stupefying drug with devastating results in terms of road safety and health in the longer term.

Now appears to be a good time for advertisers of alcoholic beverages to develop in conjunction with other partners of the advertising industry and SROs new rules taking into consideration the societal aspects of the consumption of alcoholic beverages. These ethical principles developed at European level would then need to be widely disseminated at the national level and their applicability to digital media platforms would need to be clearly highlighted.

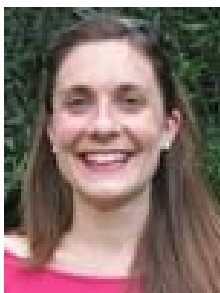
Showing that the advertising industry is taking responsibility with regards to the content of advertisements is the best answer to regulatory wishes. The advertising industry should especially take responsibility when it comes to messages that encourage excessive consumption of alcoholic beverages, no matter what the composition of the drink or its commercial denomination.

Indeed certain consumerist actions find pretexts in an alleged failure to question the existence of advertising for these drinks and, when not trying to remove it, at the least try to limit the content, to ban it on certain media, or to fix the times and places of publication.

Let me thank Laure Alexandre and Oliver Gray with whom I could discuss my views and who have helped me gain access to all the messages and documents I have used for this task. I also welcome the fact that this year these exchanges of views have benefited from the responsible perspective, motivation and frank opinions of Generation Europe, which contributed to the usefulness of this monitoring exercise.

Lucien Bouis

Member of the Economic and Social Committee
November 2008



Marie-Hélène Cussac – Generation Europe

First let me thank the European Advertising Standards Alliance for inviting Generation Europe as an independent reviewer of their 2008 Report. Having personally taken part in a The Amsterdam Group workshop on Common Standards for Commercial Communications in 2004 as a member of the Generation Europe online youth community, it has been a really interesting experience to observe the latest developments - four years on - in alcohol advertising and self-monitoring across EU Member States.

After accessing the full database of advertisements and having discussed, sometimes at length, the reasons why one or the other had been found in breach of the codes, Generation Europe has no doubts that the method used to produce this Report ensures a transparent process and is therefore reliable providing invaluable information on which to base strategies to deal with the remaining 6% of ads in breach of content and 3% not respecting the requirements for responsible drinking messages (RDM).

When reviewing the interim version of this Report, I had the opportunity to meet with EASA and some of the reviewers. The heated debate which ensued partially reflected the changing values of a younger generation, but it also brought to light the need for future monitoring exercises involving young people.

To summarise:

- With its 6,000 member online Community, Generation Europe pays particular attention to the new media and the skyrocketing interest of young people in virtual social networking platforms. Websites and blogs such as Facebook, Second Life, etc. These are platforms where advertising to young generations flourishes. Why not

consider monitoring or even launching an online debate on visual ads of alcoholic beverages on new trendy web platforms?

- Also, it is perhaps time to open the debate on the key role played by advertising agencies and 'advertisers', and of the media in general. When accepting to publish or broadcast certain ads, business interests are at play. One should not underestimate the political role they play however.
- If the alcoholic beverages advertising industry has dedicated so much effort to self-regulation, why not engage more closely with those who come next in the communication channel: the media? They are valuable gate-keepers.
- After considering a few cases where an advertisement had been found in breach by its self-regulation organisation secretariat but finally accepted by an independent jury, it may be interesting to analyse the dynamics between the two and the unexpected implications of jury decisions.
- Although the question of culture has certainly been addressed when dealing with the artistic aspects of advertising, I think it is important to take an inter-generational approach to the debate. In the reviewing exercise, two of the reviewers are of the same nationality and of the same culture, but of a different generation. Immediate reactions to visuals and videos as well as the argumentative construction supporting claims for or against some of them, varied quite considerably. The age component appeared to be a key aspect in the evaluation of the suitability or not of an advertisement.
- Considering the various cultures, age of target groups and self-regulatory bodies together with the detailed results shown here, this Report is a mine of information and inspiration for the marketing and advertising teams working in the brewers and spirits industries. It would be interesting for EASA and/or EFRD and the Brewers of Europe to propose interactive workshops (why not including young people) to flush out what works and what does not, and why, in various EU Member States.
- Last but not least, it would be interesting to all parties to add a second part to the annual workshop where this Report is presented: one with a group of young Europeans from various Member States (the target group of the ads) with which to test a sample of advertisements. This would most certainly be an enriching experiment for all concerned!

Marie-Hélène Cussac
Communication Manager
Generation Europe

19 November 2008



Jack Law - Alcohol Focus Scotland



Alcohol Focus Scotland welcomes the opportunity to comment on the EASA advertising monitoring compliance report for 2008. There are many issues about alcohol which each of us, from our different perspectives has to engage, alcohol advertising being amongst the most controversial. We hope that our comments on this year's report will be received in the intention they are given, of constructive criticism and a willingness to engage in the debate.

From AFS' perspective, the increasing reach of the application of the standards into new countries is welcomed and we would hope this development will continue in the future. Of course this brings issues about volume of advertising which needs to be covered, hence the more focused snapshot of this year's monitoring in comparison to previous years, although this represents a significant drop of 46% in the number of adverts monitored albeit over a larger number of countries.

It is heartening to see that once again overall compliance is high at 94%, although this is slightly down from the 96% rates achieved in previous years. In addition it would appear that there has been a considerable improvement in compliance with RDM from 15% non-compliance in 2007 to 3% in 2008. However, we would re-iterate the point raised from last year's report that it is important to provide examples of what the message actually says. For example, AFS would argue that the use of a website address does not of itself constitute an RDM.

While overall compliance remains high at 94%, which is a considerable achievement, nonetheless if we take a slightly longer view from 2005 when compliance was 96.4% it perhaps would be informative for the EASA to analyse this reasons for this relative decline over time. Nonetheless, if we look at the types of breach then the picture is considerably more positive in that, with the exception of those countries which have statutory regulation, on the majority of the measures there has been a sharp decline in many of the categories of breach. This is a most positive outcome, especially on issues to do with sexual success, social success, health benefits and appealing to under 18s, each of which are issues which excite considerable controversy.

The report continues the debate on the relative efficacy of voluntary regulation over statutory, citing the Loi Evin as a case in point. We would suggest the case is not well made. Uncertainty over the 'correct interpretation of the law' does not of itself persuade that the law is wrong, for it could suggest that its interpretation is problematic, and more needs to be done to analyse this. It would be helpful if the EASA could analyse this further and provide some indication of issues to do with the interpretation of the law for further debate.

AFS welcomes the suggestion that other marketing channels should be subject to analysis, for there are many worrying developments in the use of the internet and text messaging which should be addressed. We believe a debate needs to take place about how web sites, including social networking sites are used to promote products, in particular how they open up the possibilities of inappropriate communications relating to alcohol which are counterproductive to the intentions of advertising codes.

The immediate future has considerable challenges for us all, whether commercial businesses or NGOs, however AFS believes we need to continue to put every effort into improving the quality of advertising even in these testing times. We hope these comments are useful and informative for the process.

Jack Law
Chief Executive, Alcohol Focus Scotland
28 November 2008

Parameters of the exercise¹

Following similar exercises conducted in 2006 and 2007, SRO members of EASA were asked to monitor the compliance of alcoholic drinks advertising that appeared in their country according to European and national codes (see below). As the reviewers in the previous years had invited the sponsors to increase the number of countries monitored, the 2008 exercise was conducted in a larger number of countries than previously. A total number of 19 participating countries were involved in the exercise.

Austria (OWR)	Hungary (ORT)	Slovakia (RPR)
Belgium (JEP)	Ireland (ASAI)	Slovenia (SOZ)
Czech Republic (RPR)	Italy (IAP)	Spain (Autocontrol)
Finland (LTL)	Netherlands (SRC)	Sweden (MER)
France (ARPP)	Poland (RR)	UK (ASA)
Germany (DW)	Portugal (ICAP)	
Greece (SEE)	Romania (RAC)	

Table1 – Countries and SROs participating in the monitoring exercise

In order to keep the sample size manageable, it was decided to review product sectors over a period of three months, rather than for a whole year.

To ensure that the shorter period was representative and meaningful, all alcoholic beverages advertisements on the Xtreme Information database² for the three consecutive months with the highest volume in alcohol ad creation in 2007 were selected for monitoring. Based on information provided by Xtreme Information, the following months were therefore chosen:

- For Beer: April, May and June 2007
- For Spirits: October, November and December 2007
- For Wine: October, November and December 2007

The final sample examined in 2008 thus covered 2582 ads compared to 5620 ads in the 2007 monitoring exercise. The 2008 exercise thus captured the equivalent of 46% of the ads monitored in the previous monitoring exercise conducted in 2007.

The objective of the monitoring project was to assess the compliance of TV and print advertising in those 19 countries according to the following codes:

- The EFRD Common Standards
- The Brewers of Europe Guidelines for Responsible Commercial Communication.
- Relevant national advertising standards codes and national sectoral codes
- Relevant national advertising laws

SROs were asked to view the ads and indicate:

- whether there had been a breach of the codes
- whether copy advice had been sought
- whether a complaint had been made and if so, the outcome of the complaint

Note: In the 2007 monitoring exercise, SROs monitored the ads that appeared during the whole year of 2006. In 2008, SROs monitored only the ads that appeared during the three month period with the highest volume of ads in 2007.

¹ For a detailed overview of the project, please look at ANNEX 1.

² See following page for more information

✚ How is the advertising captured?

For this exercise, EASA used the Xtreme Information database. Xtreme Information is a UK data research company based in London which captures and archives over 25,000 new TV and press advertisements every month from over 60 countries, as well as cinema, radio, outdoor and internet banner ads. Xtreme Information is the leading media intelligence source of global TV, press, radio, cinema, outdoor and internet advertising.

For the purpose of this exercise, Xtreme Information captured:

- The first appearance of new TV ads on over 90 European channels monitored 24 hours/day (covering 99% of the creative on TV).
- Print ads were captured from a broad range of consumer, business and specialist newspapers and magazines (95 to 98% of print ads captured).

Country	Press	TV	Total
A	19	12	31
B	87	14	101
CZ	31	15	46
FIN	52	3	55
FR	200	2	202
D	397	69	466
GR	189	30	219
HU	17	17	34
IRL	53	14	67
I	181	31	212
NL	14	29	43
PL	9	29	38
P	33	22	55
RO	27	20	47
SK	11	9	20
SL	24	11	35
E	206	81	287
SW	241	18	259
UK	310	55	365
TOTAL	2101	481	2582

Table2 – Number of ads captured per media and per country

Note: Xtreme Information considers each ad as a single execution. The same ad cut into different length formats will thus, each time, be considered as a new execution.

✚ Independent reviewers

For reasons of impartiality and due process, three independent reviewers were appointed to perform the following functions:

- Verify that the appropriate criteria have been set up;
- Check SRO responses are made correctly by accessing the EASA-approved results online and viewing responses at random;
- Testify to the correctness of the monitoring procedure and ensure the processes were transparent, participative and accountable.

Top line results across sectors

Overall compliance results

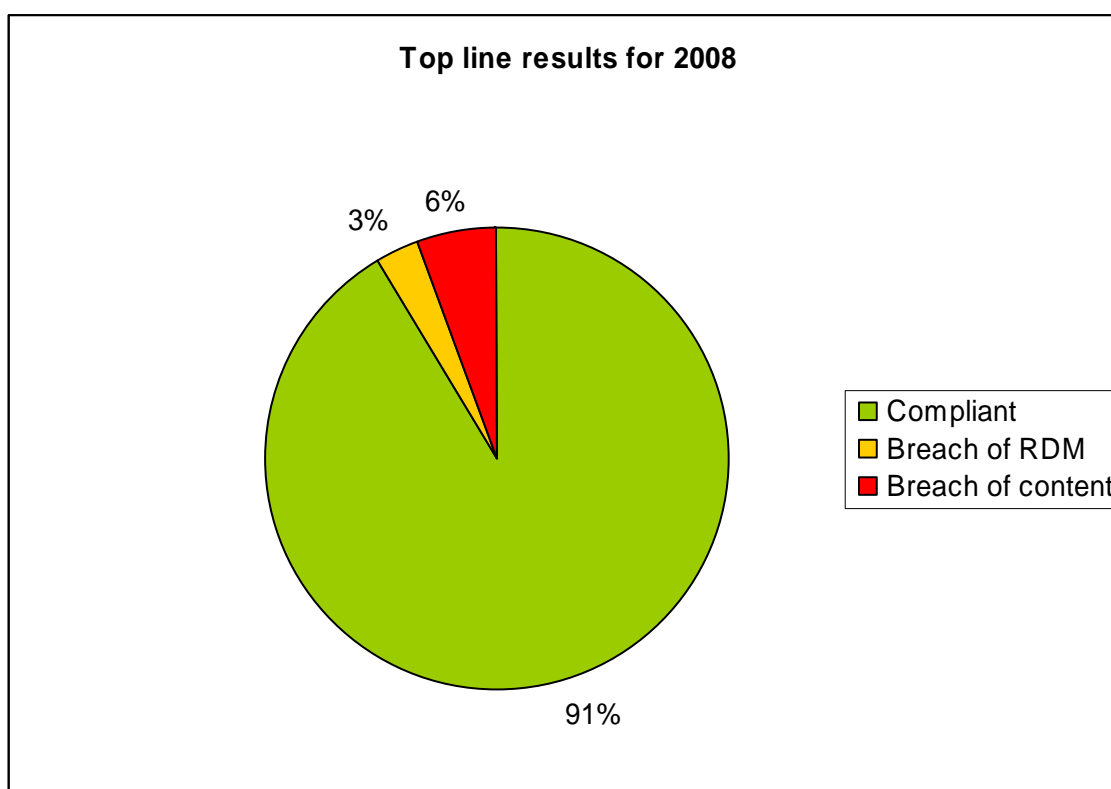
The results below show the average compliance for all alcoholic beverages in the 19 countries monitored.

Out of the 2582 ads captured by Xtreme, 111 fell out of the remit of the exercise (e.g. sponsorship, TV ads for Sweden broadcasted from the UK, non-alcoholic beers in countries where the Alcohol code is not applicable to them). Three ads were not reviewable for technical reasons. Those 114 ads have been therefore withdrawn from the basis of calculation.

Ads have been classified as follows:

- Compliant: the ad is in line with the applicable codes and laws.
- Breach of RDM³: the ad is compliant in its content but does not respect the mandatory requirement for responsible drinking message when this is compulsory.
- Breach of content: the content of the ad is in breach of the codes, or the law applicable to alcoholic beverages.

94% of the ads were found in compliance with the content requirements of the codes and laws they were monitored against. 3% of the ads did not respect the requirements for responsible drinking messages in countries where displaying such message is compulsory.



Graph 1 – Top line European results for 2008, on ads from 2007

Compliant	2256
Breach of RDM	75
Breach of content	137
Total	2468

Table attached to Graph 1 – Top line European results for 2008, on ads from 2007

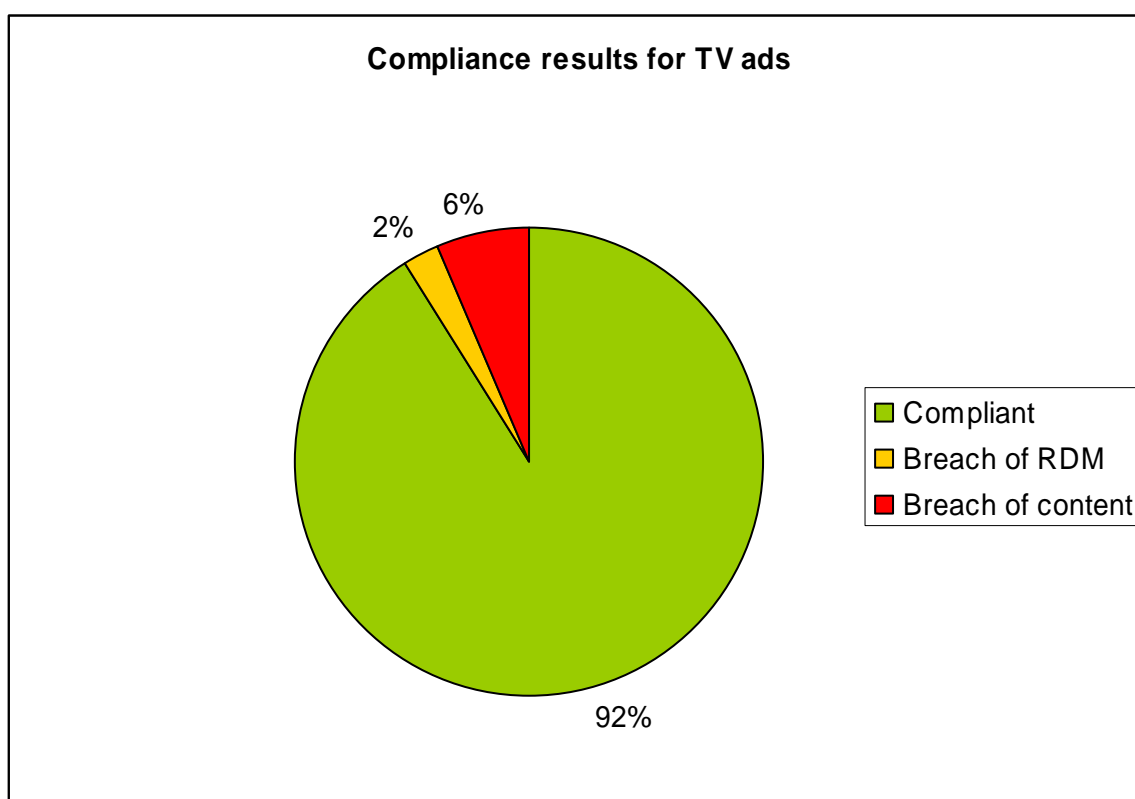
³ Responsible drinking message

Compliance results per media

The results below show the average compliance in the 19 countries monitored for all alcoholic beverages split per media monitored. A total of 2101 print ads and 481 TV ads were captured.

Three print ads could not be reviewed for technical problems and another 61 were found to be out of the remit of the exercise (non-alcoholic beverages etc...). 41 TV sponsorship credits have not been reviewed and 9 Swedish TV ads fell outside the remit of the Swedish SRO as they were broadcasted from the UK⁴.

Compliance results on TV



Graph 2 – 2008 Top line European results for TV ads, in reviewed three month sample of 2007

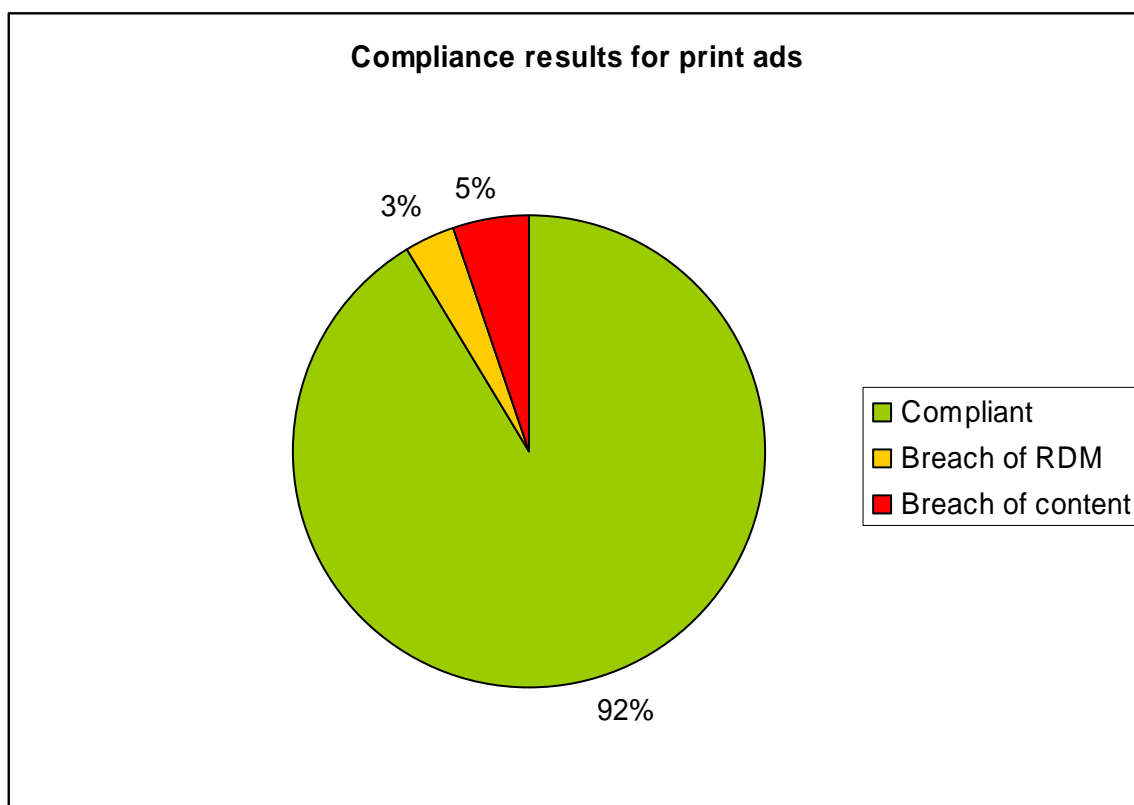
Compliant	380
Breach of RDM	10
Breach of content	27
Total	417

Table attached to Graph 2 – 2008 Top line European results for TV ads, in reviewed three month sample of 2007

Results for TV show that the number of ads in breach of content rules corresponds to the average. With regards to compulsory RDMs, 2% of TV ads did not respect this requirement.

⁴ These ads were not considered by ASA as adequate translations were unavailable, nor reviewed by Clearcast prior to broadcast.

Compliance results on print media



Graph 3 – 2008 Top line European results for print ads, in reviewed three month sample of 2007

Compliant	1875
Breach of RDM	65
Breach of content	111
Total	2051

Table attached to Graph 3 – 2008 Top line European results for print ads, in reviewed three month sample of 2007

Compared with the percentage of TV ads in breach (6%), the monitoring results on print media show a lower number of ads in breach (5%). However, due to the overwhelming proportion of print ads monitored, the number of ads executions found in breach is actually higher than those on TV.

Comparison with previous monitoring exercise

As the parameters for the period monitored varied between the two exercises, the results of the 2007 and 2008 exercise have been recalculated in order to make comparisons.

The 2007 results below have been recalculated as follows:

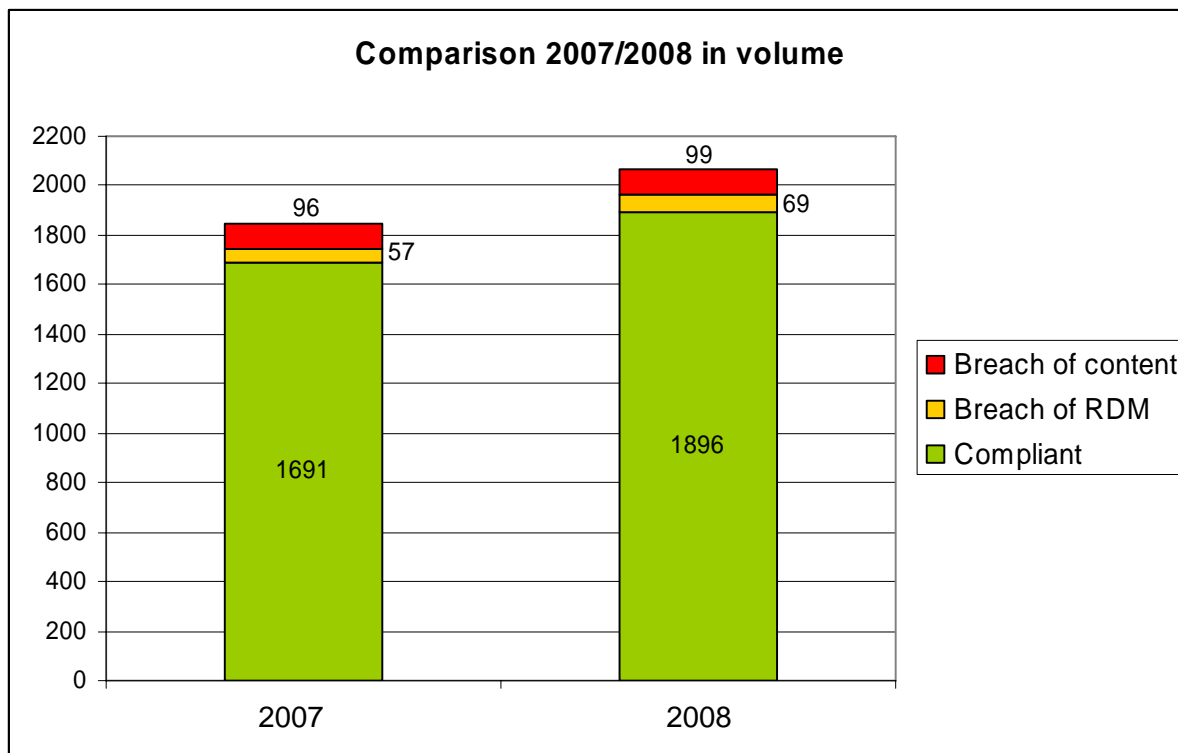
- For Beer: April, May and June 2006
- For Spirits: October, November and December 2006
- For Wine: October, November and December 2006

Ads for mixed drinks based on beer were classified as beer ads and ads for mixed drinks based on spirits were classified correspondingly as spirit ads.

Last year's exercise included spirits ads for Denmark, which have not been monitored in 2008; therefore Denmark is not included in the results below.

Furthermore, the 2008 results below do not include ads for the Czech Republic, Romania, Slovenia and Sweden, as they did not participate in the 2007 exercise.

The table below shows the results in absolute numbers based on the comparison of the comparable parameters. More ads appear to have been captured in the 2008 monitoring compared to 2007 (168 ads in total).

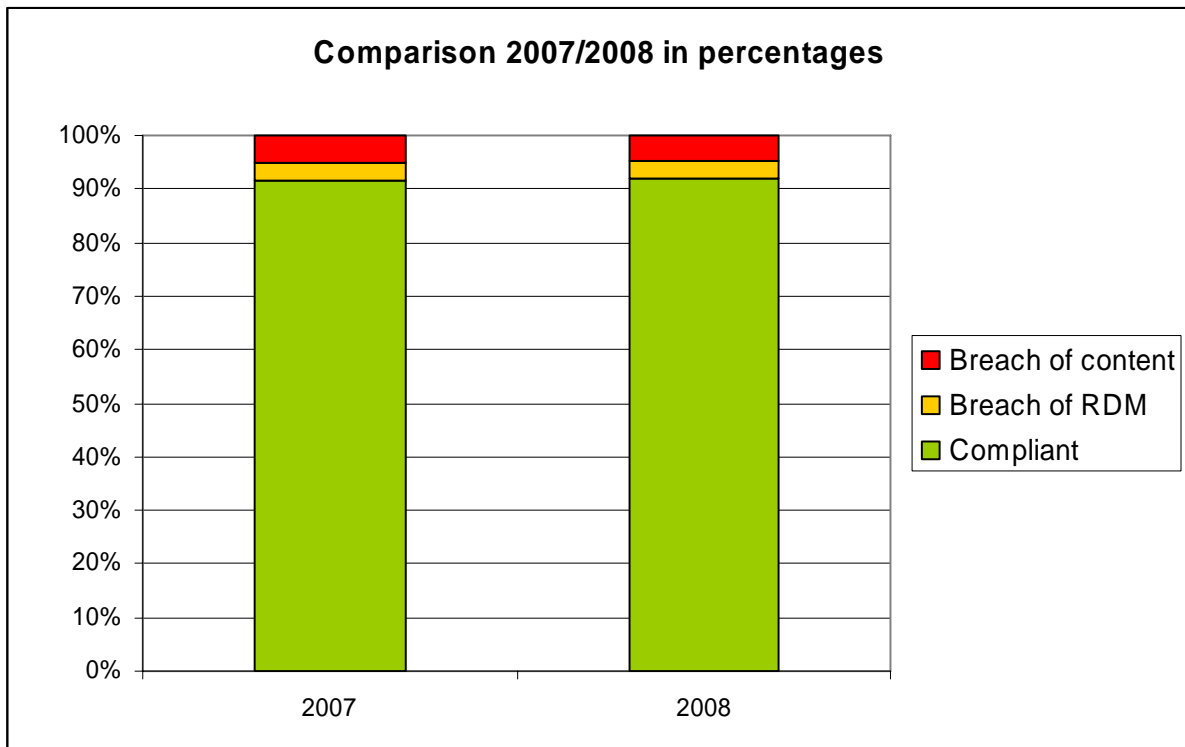


Graph 4 – Comparison in absolute numbers of the top line results of the 2007 and 2008 monitoring exercises

	2007	2008
Compliant	1691	1896
Breach of RDM	57	69
Breach of content	96	99
Technical problem or outside remits	128	76
Total	1972	2140

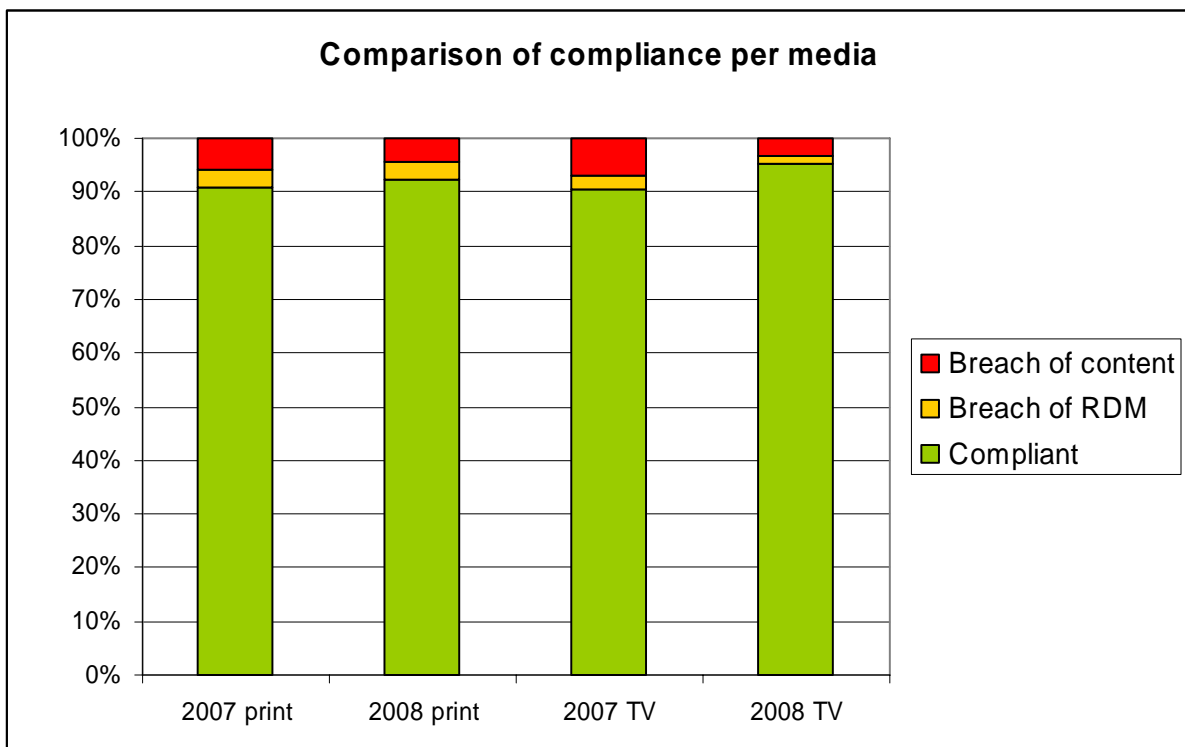
Table attached to Graph 4 & Graph 5 – Comparison in absolute numbers of the top line results of the 2007 and 2008 monitoring exercises

The graph below, highlighting the compliance levels in term of percentages shows the compliance levels are stable.



Graph 5 – Comparison in percentages of the top line results of the 2007 and 2008 monitoring exercises

When the data is split per media, results show comparable levels of compliance for print media. TV ads though, have proved to have a higher level of compliance in 2008 compared to the 2007 exercise.



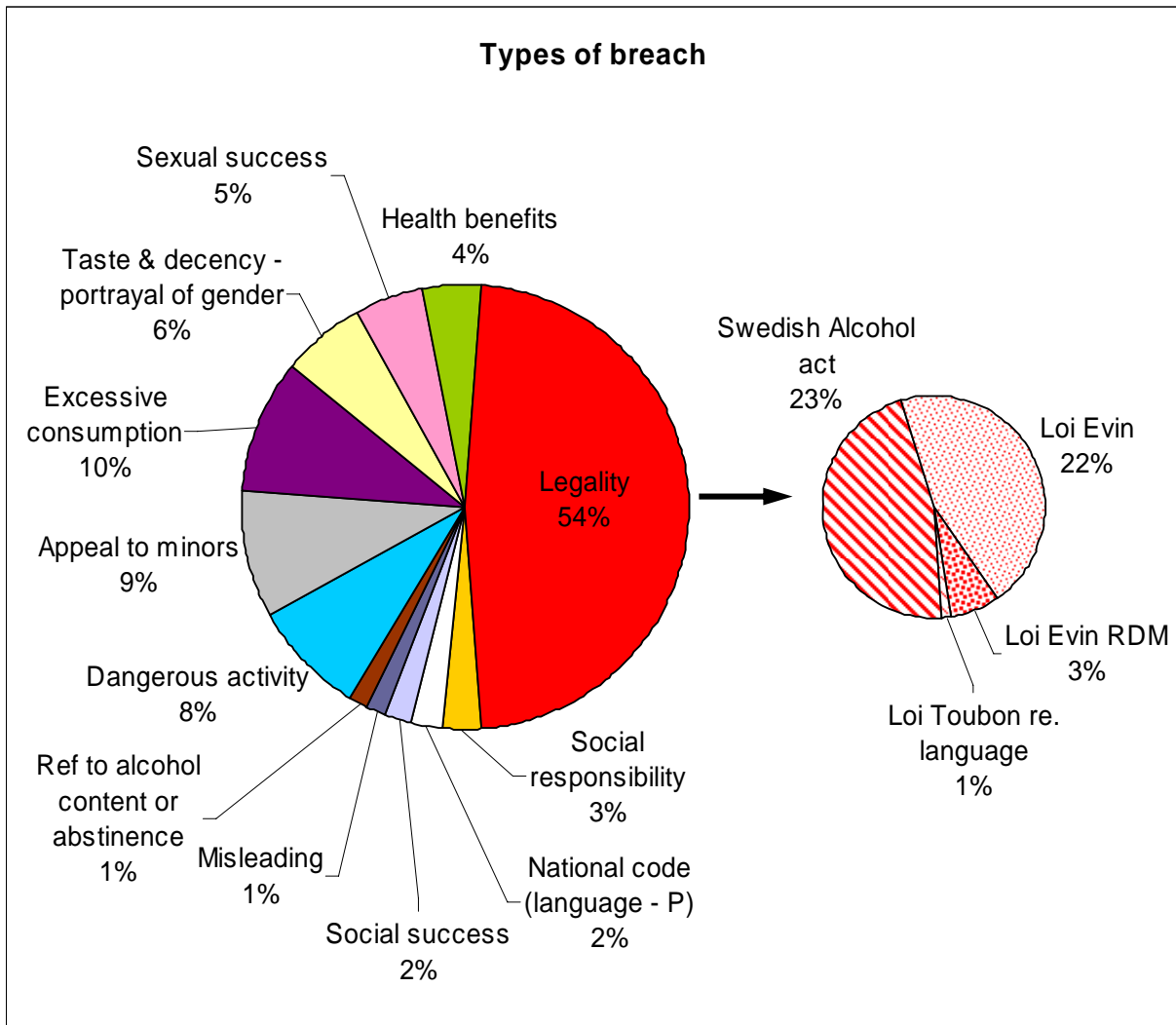
Graph 6 – Comparison in percentages of the top line results of the 2007 and 2008 monitoring exercises

	2007 print	2008 print	2007 TV	2008 TV
Compliant	1315	1564	332	376
Breach of RDM	51	59	10	6
Breach of content	83	74	25	13
Total	1449	1697	367	395

Table attached to Graph 6 – Comparison in percentages of the top line results of the 2007 and 2008 monitoring exercises

Information on breaches of the codes

The results below show the types of breach identified by the secretariats of the SROs involved in the monitoring, as well as ads found in breach by the SRO juries as a result of a complaint by a consumer or a competitor.



Graph 7 – types of breach found in the 2008 monitoring exercise

Types of breach	n°
Legality	69
- Swedish Alcohol act	32
- Loi Evin	31
- Loi Evin RDM	5
- Loi Toubon re. language	1

Dangerous activity	12
Appeal to minors	13
Excessive consumption	14
Taste & decency - portrayal of gender	9
Sexual success	7
Health benefits	6
Social responsibility	4
National code (language - P)	3
Social success	3
Misleading	2
Reference to alcohol content or abstinence	2
TOTAL	144

Table attached to Graph 7 – types of breach found in the 2008 monitoring exercise
*definitions provided below.

More types of breach have been found as one ad may be in breach of several articles of the code. Therefore, one single ad may account for several “types of breach”.

The ICC code says that all advertisements should be legal. Therefore, when an ad is found in breach of a national law, it has been classified under the legality principle. The ads falling under this category have been sub-divided as follows:

Breach of the Swedish Alcohol act: The sector guidelines interpreting the Swedish alcohol act have requirements that would not fall under other types of classifications of breaches found in the EFRD Common Standards or The Brewers of Europe guidelines for responsible commercial communication.

These include for example:

- “Marketing may not, through its design or the context in which it appears, be associated with situations in which, according to generally recognised opinion, alcohol consumption should not occur.”
- “Alcoholic strength must always be specified.”
- “Images and text must give an objectively balanced and reliable presentation of the marketed alcoholic beverage – e.g., its origin, raw materials, properties and use. Special restrictions apply for images in advertisements in periodicals and in outdoor advertising.”

Breach of the Loi Evin: Similarly to the Swedish alcohol act, the Loi Evin has requirements that do not fall under other types of classifications of breaches found in the EFRD Common Standards or The Brewers of Europe guidelines for responsible commercial communication.

Loi Evin RDM: The Loi Evin depicts that a health warning should be attached to a responsible drinking message, horizontally and in legible format. Ads not fulfilling these requirements have been classified under this heading.

Loi Toubon: The Loi Toubon prescribes that one must use French language in commercial communication, or provide a translation. Ads not fulfilling this requirement have been classified under this heading.

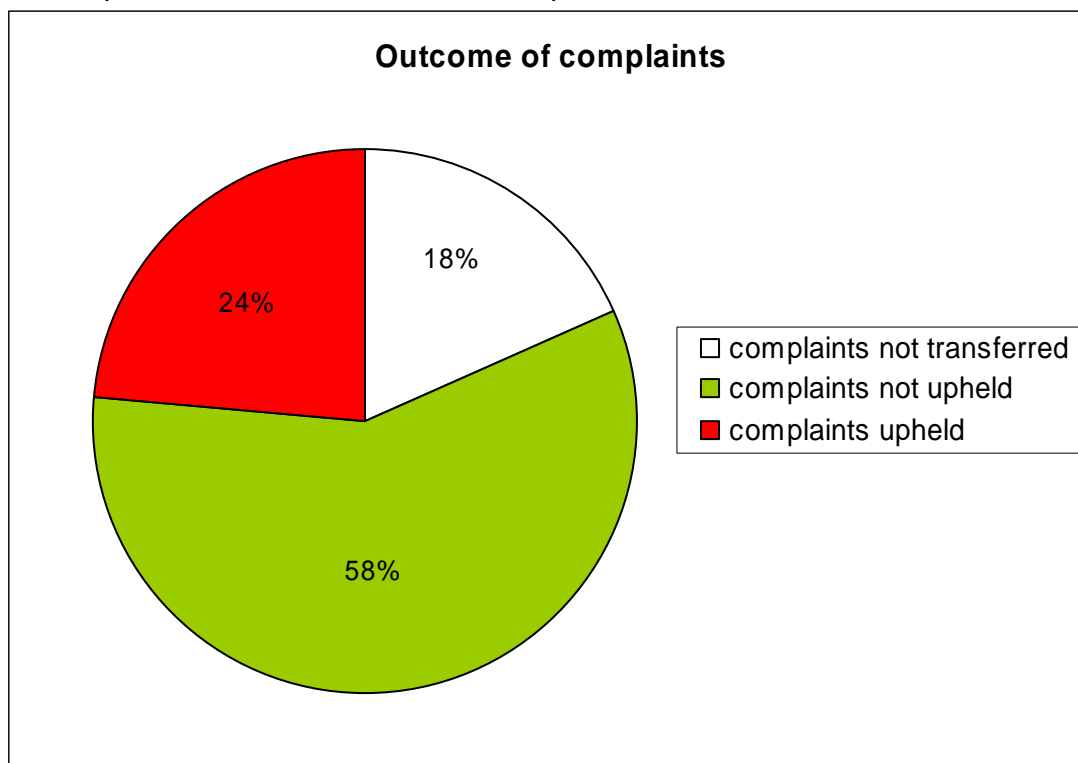
National code (language - P): In Portugal, the national code prescribes the use of Portuguese in all advertisements; Ads not fulfilling this requirement have been classified under this heading.

Information on complaints

In total, 38 complaints have been received for ads that appeared during the monitoring period. Nine of these ads had a complaint logged against them which was upheld by the juries. As found in previous monitoring exercises, the number of ads complained about remains extremely low in comparison to the number of ads in circulation:

- In 2008: 38 ads complained about (1.47%) out of 2582 ads monitored (9 upheld).
- In 2007: 50 ads complained about (0.88%) out of 5620 ads monitored (15 upheld).
- In 2006: 68 ads complained about (1.42%) out of 4799 ads monitored (4 upheld).

In 2008, 10 print ads and 28 TV ads were complained about.



Graph 8 – Outcome of the complaints registered by the SROs during the monitoring period

Outcome of complaints	n°
complaints not transferred	7
complaints not upheld	22
complaints upheld	9
Total	38

Table attached to Graph 8 – Outcome of the complaints registered by the SROs during the monitoring period

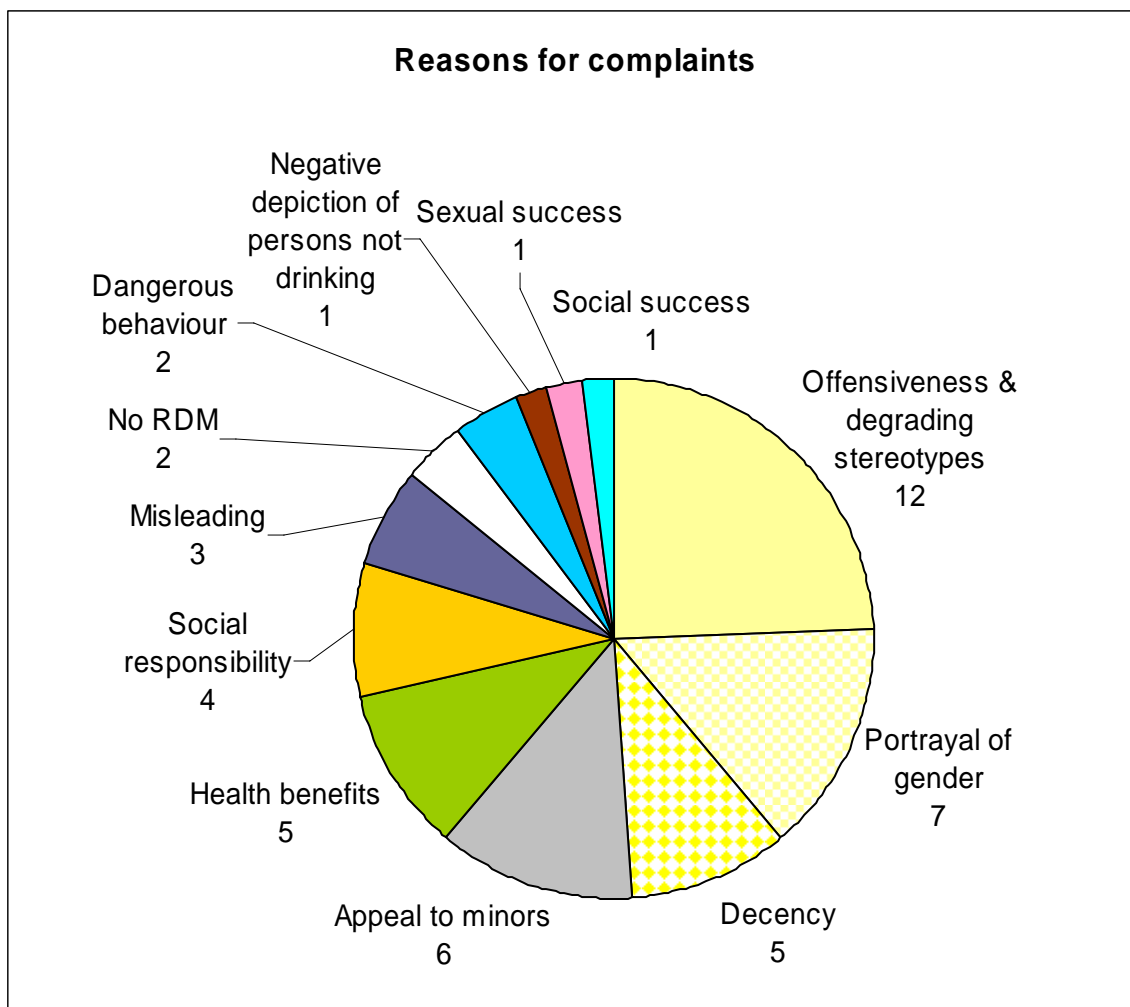
Definitions:

Complaint upheld: The ad was complained about, transferred to the jury and the complaint was upheld.

Complaint not upheld: The ad was complained about, transferred to the jury and the complaint was not upheld.

Complaint not transferred: The ad was complained about, but the complaint was rejected by the SRO secretariat (out of remit, complaint not on the ad but on the product itself etc.)

The graph below represents the main reasons for which consumer or competitors complained about an ad. Due to the low number of ads complained about, the presentation in pie chart is only presented here as an indication.



Graph9 – reasons for consumer or competitor complaints on the ads captured during the monitoring period.

Types of complaints	n°
Offensiveness & degrading stereotypes	12
Portrayal of gender	7
Decency	5
Appeal to minors	6
Health benefits	5
Social responsibility	4
Misleading	3
No RDM	2
Dangerous behaviour	2
Negative depiction of persons not drinking	1
Sexual success	1
Social success	1
Total	49

Table attached to Graph9 – reasons for consumer or competitor complaints on the ads captured during the monitoring period.

Regarding the types of breach identified by the SROs, consumers or competitors may have more than one reason to complain about an ad. This explains why the total number of areas for complaint exceeds the total number of complaints received.

Offensiveness, portrayal of gender and decency have been represented in similar shades of colour as they refer to the same type of problematic area.

A comparison of the above with the reasons why SROs find advertisements in breach of the codes show that while SROs register breaches of the law of national codes first, the general public tends to complain rather on taste and decency issues.

Information on copy advice

Copy advice is a service provided by SROs, on request, to advertisers, agencies and the media on the acceptability of proposed advertising campaigns. Copy advice is provided free of charge to SRO members in many countries and is non-binding.

- Copy advice is not available in Finland⁵ and in Sweden. Germany and Romania are currently putting this service in place, but ads at the time of the monitoring capture could not benefit from it.
- In the Netherlands, the Stichting Reclame Code has no copy advice service. However, the Dutch alcoholic beverages industry can contact STIVA⁶ for advice on commercials for radio and television before publication.
- As TV ads in the UK are pre-cleared by Clearcast, information on copy advice levels is not available.
- In Ireland, the CCCI⁷ is in charge of pre-vetting alcohol ads.

Surprisingly few requests for copy advices were made. During the monitoring period, 84 ads had received copy advice from the SRO⁸ (47 print ads and 37 TV ads).

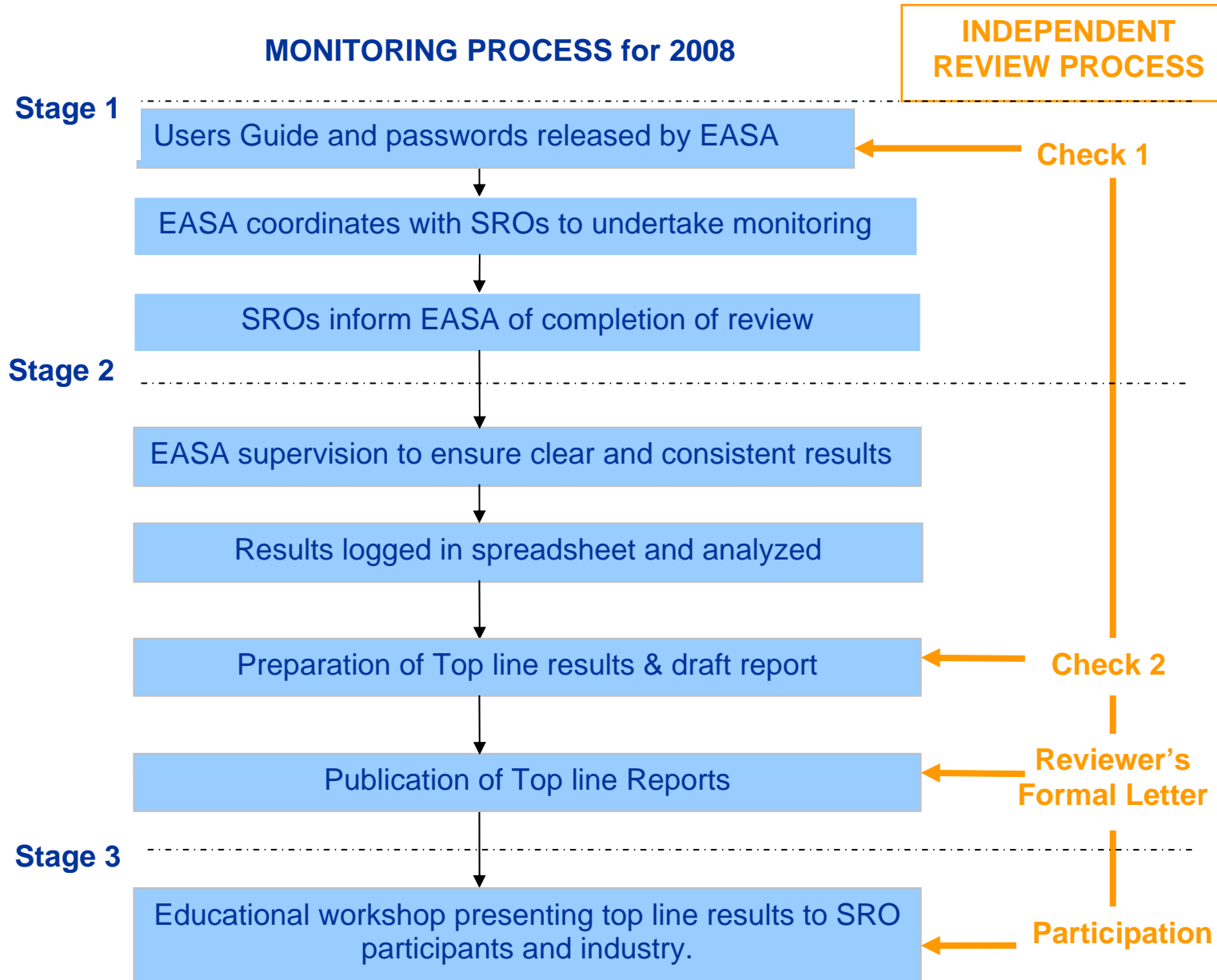
⁵ In Finland, advice can be sought from the National Product Control Agency for Welfare and Health <http://www.sttv.fi/>

⁶ STIVA groups Dutch producers and importers of beer, wine and spirits. The foundation aims to promote the responsible use of alcohol and to force back alcohol abuse.

⁷ Central Copy Clearance Ireland Ltd was established in February 2003 as an independent organisation to provide a pre-vetting service for all advertising of alcoholic drinks in Ireland. CCCI ensures that no media outlet in Ireland, whether print, broadcast, outdoor, cinema or the internet, will accept any advertising for any alcoholic drinks brand unless it carries a copy clearance number from CCCI.

⁸ it should be noted that often, particularly major companies, have a service within the company itself from where advice or clearance is sought.

ANNEX 1. Flowchart of Monitoring Process





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