SPECIALIST VIEWS OF ALCOHOL MARKETING REGULATION IN THE UK
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The authors are solely responsible for the content of the report.
CANCER RESEARCH UK

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This research was funded by the Policy Research Centre for Cancer Prevention, Cancer Research UK. For more information please contact PRCP@cancer.org.uk

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FOREWORD

It gives me great pleasure to introduce this report investigating teenager and expert views on the role of alcohol brands and branding in youth alcohol consumption.

Alcohol consumption is responsible for 5.9% of all deaths worldwide and 25% of all deaths in 20-39 year olds in Europe. Furthermore, it is linked to around 200 health conditions – including 7 types of cancer. In the UK alone, alcohol is associated with around 12,800 cases of cancer annually. Cancers linked to alcohol include bowel and female breast – two of the most common cancers – as well as oesophageal, which is one of the hardest to treat.

Although there have been some recent declines in alcohol consumption in the UK, per capita consumption remains amongst the highest in the western world. Furthermore, drunkenness has been experienced at least twice by around 30% of UK 15 year olds, underscoring the levels of underage drinking.

The first report form this study, ‘Youth engagement with alcohol brands in the UK’ examined one of the key aspects of a young person’s environment that may influence behaviour – advertising and promotion.

This second report highlights that many specialists view current UK regulation on alcohol as inadequate in protecting young people and express the need for more regulation.

Combined with other studies finding significant associations between exposure to alcohol marketing and youth drinking behaviour, this study, adds support to the case for more regulation of alcohol marketing, especially when this marketing is accessible to the underage population. While youth familiarity with and awareness of alcohol brands is clearly quite high, there is also a need for greater awareness of alcohol’s relationship with cancer across the entire population, with 9 in 10 people in England unaware of the link between alcohol and cancer.

If current alcohol consumption trends continue, alcohol will lead to an estimated 135,000 cancer deaths over the next 20 years and £2bn in cancer costs to the NHS. In doing all we can to prevent cancer, there is a need to start early in life by enhancing protections for young people against activities such as marketing that may influence them to begin using cancer-causing products like alcohol at a young age.

This report was commissioned by Cancer Research UK’s Policy Research Centre for Cancer Prevention. This Centre is part of Cancer Research UK’s commitment to support high quality research to help build evidence to inform policy development on topics relevant to cancer prevention, including alcohol.

David Jernigan,
Director, Center on Alcohol Marketing and Youth (CAMY) Associate Professor, Department of Health, Behavior and Society Johns Hopkins Bloomberg School of Public Health
EXECUTIVE SUMMARY

Alcohol consumption is believed to be linked to approximately 12,800 cancer cases annually in the UK\(^1\) and is linked to seven types of cancer, including two of the most common, female breast and bowel\(^2-^3\). If current alcohol consumption trends continue, it will lead to an estimated 135,000 cancer deaths over the next 20 years and cost £2bn in cancer costs to the NHS\(^4\).

Levels of alcohol consumption in the UK for 15 year olds remain amongst the highest in the Western World\(^5\). Whilst the root causes of under-age drinking in Britain are undoubtedly complex, industry claims that their marketing merely influences switching between brands and do not affect overall consumption do not accord with the evidence\(^6-^9\).

This is the second report following on from Morey et al., 2017\(^10\) which explored youth engagement with alcohol brands. This report, based on interviews with academics and public policy specialists considers whether new ways of regulating alcohol brands may help address the harmful effects of alcohol marketing.

FINDINGS

INTERVIEWS WITH ACADEMICS AND PUBLIC POLICY SPECIALISTS

- Current UK regulation was widely regarded as inadequate.
- Commercial marketers are perceived to have bypassed regulations that, by focusing on media use, were seen as unfit for purpose in an era in which sophisticated brand building techniques are commonplace.
- The use of online marketing, TV sports and music event sponsorship were all seen as particularly problematic in enabling brand builders to bypass traditional media and reach large numbers of young people.
- The inadequacy of UK regulation was contrasted with the French Loi-Evin\(^11\) (a law that strictly controls French alcohol marketers by stipulating what they are allowed to include in their marketing), which was met with approval but was regarded as highly unlikely to be introduced in the UK due to policy constraints.
- Performance based regulation\(^12\) is a fairly new idea and may take the form of setting public health related targets to specific brands that are deemed to be causing or contributing to a public health problem. This was regarded as intriguing but a series of challenges were raised concerning its possible introduction.

POLICY AND PUBLIC HEALTH IMPLICATIONS

Government should review the efficacy of current restrictions on when and where alcohol advertisements are shown and consider how best to minimise young people’s exposure to this marketing.

Further research is needed to investigate further the links between brand-specific marketing activity and under-age drinking behaviour in the UK, preferably with a longitudinal survey.
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INTRODUCTION

Alcohol is a significant contributor to the global burden of mortality and disease, accounting for 5.9% of all deaths and 5.1% of the global burden of disease every year\textsuperscript{13}. It has been linked to over 200 health conditions, including heart disease, stroke, diabetes\textsuperscript{14} and seven types of cancer\textsuperscript{15}. Overall, 5.5% of cancer cases and 5.8% of cancer deaths were attributable to alcohol worldwide in 2012\textsuperscript{16}. If current alcohol consumption trends continue, it will lead to 135,000 cancer deaths in the UK over the next 20 years and £2bn in cancer costs to the NHS\textsuperscript{17}.

FIGURE 1  CANCER CASES LINKED TO DRINKING ALCOHOL

Alcohol consumption during any stage of childhood can have a harmful effect on a child’s development. Alcohol use during the teenage years is related to a wide range of health and social problems, and young people who begin drinking before the age of 15 are more likely to experience problems related to their alcohol use\textsuperscript{18}. This is a result of young people typically having a lower body mass and less efficient metabolism of alcohol. Additionally, the
psychoactive effects of alcohol disproportionately affect motor control and coordination hence increasing injury events and related trauma. Young people also exhibit a typically low-frequency, high-intensity drinking pattern that leads to intoxication and risk-taking behaviour\textsuperscript{19-21}.

Although drinking in the UK in 11-15 year olds has declined since the early 2000s, drinking levels in 15 year olds in the UK still remain amongst the highest in the Western World\textsuperscript{22}. In 2014 38\% of 11-15 year olds in England reported ever trying an alcoholic drink\textsuperscript{23}. In the UK in 2013-2014, 33\% of 15-year old girls and 28\% of 15-year old boys in the United Kingdom reported having experienced drunkenness at least twice in their lifetime\textsuperscript{24}. Binge drinking is a particular issue amongst young people (aged 16-24) who are the age group most likely to have drunk very heavily (more than 8 units for men and 6 units for women on a single day) at least once during the week\textsuperscript{25}. However, substantial numbers of those even younger are also drinking. In 2014, 69\% of 15 year olds had drunk alcohol in the last week\textsuperscript{26}.

The root causes of underage drinking in Britain are undoubtedly complex; however, marketers’ claims that their marketing merely influences switching between brands and does not affect overall consumption\textsuperscript{27} do not accord with the evidence of studies undertaken in the alcohol sector. Alcohol advertising and other promotional activity have consistently been shown to be associated with initiation and progression of alcohol use among young people, as well as the development of pro-drinking attitudes and social norms\textsuperscript{28-32}. A 2015 survey of 10-11 year olds in England and Scotland found greater recognition of alcohol brands than food brands amongst this age group, with recognition of characters in a lager advert higher than any equivalents for food brands\textsuperscript{33}. Identification with desirable images in alcohol advertising has been seen in 8–9-year-olds and brand-specific consumption has been found among 13–20 year-olds\textsuperscript{34-35}.

These concerns prompted an examination of the current regulations on alcohol marketing and consumption relating to children in the UK. The most important restrictions include youths under 18 not being permitted to buy alcohol in the UK, alcohol adverts not ‘targeting or appealing strongly to under-18s’ and restrictions on advertising on television during or around children’s programmes\textsuperscript{36}. The product placement of alcoholic drinks on television has also been prohibited\textsuperscript{37}. However, given underage drinking levels, these measures may be inadequate. Some programmes broadcast during peak viewing times are still allowed to carry alcohol advertising (not least popular family shows) because they do not attract a ‘disproportionate’ number of under-18 viewers – even though they do attract a high number (in absolute terms) of under-18 viewers. Several media – in particular social media – remain unregulated, allowing for the continued exposure of minors to alcohol marketing. These inadequacies are symptomatic of the underlying deep-seated problem with all regulation of this type, which is that these restrictions have been placed on media use rather than marketing outputs. The brand appeal and brand propositions that marketers create to attract consumers are therefore the focus in this study.

Regulatory concerns in the UK are echoed internationally. In May 2010 the 193 Member States of the World Health Assembly unanimously adopted the World Health Organization (WHO) Global Strategy to reduce the harmful use of alcohol\textsuperscript{38}. The Strategy focused on key policy options and interventions for alcohol marketing by regulating the content and the volume of marketing, including setting up regulatory or co-regulatory frameworks, preferably with a legislative basis and supported when appropriate by self-regulatory measures. Legislation has been identified as cost-effective for reducing the harmful use of alcohol (WHO
refers to alcohol marketing restrictions as a ‘best buy’). The implementation of this Strategy has become even more pressing following the adoption of the WHO Global Action Plan on the prevention and control of non-communicable diseases (NCDs) for 2013-2020, which urges Member States and the international community to implement the Strategy and ensure at least a 10% relative reduction in the harmful use of alcohol by 2025. The UK has agreed to these strategic aims.

Regulatory solutions vary internationally. Three categories highlighted here are examined in this report:

1. The UK’s relatively ‘light touch’ option, co-regulation, involves the industry regulating itself with some control from government. Control comes from Ofcom, the communications regulator, and the Advertising Standards Authority, whilst self-regulation is administered by the alcohol industry-funded Portman Group.

2. A stricter alternative, binding legislation, as illustrated with the French ‘Loi-Evin’. Loi-Evin established rules in law which advertisers must follow; most notably that the law instructs advertisers on what they can say (largely limited to factual information about the product) rather than what they cannot.

3. An additional alternative is the so-called Performance Based Regulation (PBR) option, proposed by Sugarman in 2009. PBR suggests a non-prescriptive approach by setting public health related targets to industries that are deemed to be causing problems. If, for example, a particular brand is shown to have particular youth appeal its owners could be required to reduce this appeal within a given timescale.

Levels of drinking continue at worryingly high levels amongst children, and industry marketing appears to be closely associated with this. Consumption levels also suggest that current regulations do not seem to be particularly effective and hence that new approaches merit exploration. Two research aims were therefore identified: firstly, to explore how the marketing of specific alcohol brands may affect teenage drinking, and secondly to explore the merits of brand-specific regulatory ideas.

**METHODOLOGY**

**AIM**
The main aim of this study was to:

- To establish academic and public policy expert opinions on different policies for regulating alcohol brands.

**RESEARCH DESIGN**
Discussions were held with academics and public policy specialists concerning options for regulating alcohol brands. Eleven telephone interviews were completed in February and March 2016.

**SAMPLING & RECRUITMENT**
Eleven interviews were carried out with academic and public policy specialists, Table 1 illustrates the make-up of those that took part in these.
Table 1 TELEPHONE INTERVIEWS WITH ACADEMICS AND PUBLIC POLICY SPECIALISTS

<table>
<thead>
<tr>
<th>Respondent</th>
<th>Role</th>
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<tbody>
<tr>
<td>1</td>
<td>Charity Director</td>
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<tr>
<td>2</td>
<td>Charity Officer</td>
</tr>
<tr>
<td>3</td>
<td>Charity Officer</td>
</tr>
<tr>
<td>4</td>
<td>International NGO Director</td>
</tr>
<tr>
<td>5</td>
<td>International NGO General Secretary</td>
</tr>
<tr>
<td>6</td>
<td>Lecturer in Law</td>
</tr>
<tr>
<td>7</td>
<td>Post Graduate Researcher</td>
</tr>
<tr>
<td>8</td>
<td>Post Graduate Researcher</td>
</tr>
<tr>
<td>9</td>
<td>Professor of Health Policy</td>
</tr>
<tr>
<td>10</td>
<td>Professor of Law</td>
</tr>
<tr>
<td>11</td>
<td>Professor of Social Psychology</td>
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</table>

INTERVIEWS WITH ACADEMICS AND PUBLIC POLICY SPECIALISTS

The interviews with academics and public policy specialists regarding regulation were informed by a discussion guide that emerged from our rapid scoping review of the literature concerning legislative options for the alcohol industry. In particular, three categories of regulation were raised for discussion:

Table 2 SUMMARY OF ALCOHOL BRAND REGULATION OPTIONS CONSIDERED IN DISCUSSIONS

<table>
<thead>
<tr>
<th>Regulation</th>
<th>Description</th>
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<tbody>
<tr>
<td>1. Performance based regulation (PBR)(^{43})</td>
<td>Setting public health related targets to industries that are deemed to be causing problems. If, for example, a particular brand is shown to have particular youth appeal its owners could be required to reduce this appeal within a given timescale.</td>
</tr>
<tr>
<td>2. Self-regulation/Co-regulation(^{44})</td>
<td>Self-regulation is administered by the alcohol industry-funded Portman Group.</td>
</tr>
<tr>
<td>3. Traditional (binding regulation) e.g French Loi Evin(^{45})</td>
<td>Rules in law which advertisers must follow; most notably that the law instructs advertisers on what they can say (largely limited to factual information about the product) rather than what they cannot.</td>
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Interviews were conducted by Henry Hillman, a law PhD student based at UWE-Bristol.
INCENTIVES
Incentives were not required for the academic or public policy specialist interviews.

DATA ANALYSIS
Resource and time constraints prohibited formal transcription of the academic and public policy specialist interviews, and verbatim quotes were not captured. The interviews were not recorded. Interview notes were taken and converted into key points for consideration between the researcher and other team members. These key points were expanded into the findings section below. The delivery constraints of these interviews meant that caution was applied by us in our interpretations of the findings.

ETHICS
Ethical approval was granted by UWE-Bristol, the lead university, on the 21st January 2016.
(approval number FBL.15.12.019).

FINDINGS

Eleven academics and public policy specialists were telephoned and asked for their opinions regarding three possibilities for alcohol regulation: self/co-regulation, strict binding regulation, and ‘performance based regulation’.

PERFORMANCE BASED REGULATION
Performance based regulation (PBR) is a relatively new idea, proposed in 2009. It may take the form of setting public health-related targets for specific brands that are deemed to be causing or contributing to a public health problem. Many respondents were not familiar with PBR, but once explained to them respondents’ initial response was that PBR was a promising idea in attempting to regulate brands rather than just the individual media. One respondent suggested that the PBR approach may combine the best of outside regulation and self-regulation in bringing genuine teeth to the regulatory process whilst also placing the solution with those with the expertise. It was felt that brand creators and owners have the best knowledge of creating and maintaining a brand identity, and as a result they are best placed to alter the brand’s image. However other respondents were cautious about this, noting their distrust of the industry and its commitment to such causes.

There were however a number of hurdles that respondents identified. The first problem was in the appropriate setting of goals: many respondents struggled to envisage how measurable targets could be set. Targets that were mooted included a reduction towards zero underage drinking levels, and a reduction towards zero hospital admissions for alcohol abuse. The issue with such targets was that it would be very difficult to quantify exactly how much influence branding has on consumption. It was felt that much more research would be needed to ascertain this in order to justifiably impose sanctions.

There were worries that PBR would be legally challenged for restraint of trade, with some noting how Scotland has struggled to introduce minimum unit pricing in spite of significant
political support for it. Additionally, setting targets contrary to commercial goals may face legal issues that could be difficult to rebut given the lack of precedent for this type of regulatory action. There was also concern amongst the respondents that it would be difficult to accurately sanction the industry, for example with difficulties in determining the size of fines. It would be legally important to ensure the fines were proportionate. Respondents also commented on the option of other sanctions such as banning products, but there was no consensus on this. Administering such legislation was regarded as potentially tricky. Respondents agreed that a regulator will be required, but there was no consensus on whom this should be, with some respondents suggesting OfCom could take this on while others favoured a new regulator.

The bottom line was that as things stood none of the participants thought that performance based regulation was likely to be adopted soon by the UK.

**SELF-REGULATION/CO-REGULATION**

Self/co-regulation was regarded as the easiest to administer of the options in that the lack of strict laws allowed the self-regulator to adapt to sector changes. Without the need to take issues to the courts, cases can be dealt with quickly. This flexibility was reinforced by the fact that the self-regulator, by definition, has experience of the industry and will be familiar with the developments of the industry. Respondents also noted the argument that the industry will be more likely to co-operate if it feels it is involved and listened to and that, in theory, the industry could be a useful partner. Finally, it was noted that allowing the industry to regulate itself keeps the costs in the private sector and away from the taxpayer.

However, in the view of most respondents these advantages were outweighed by a long list of significant shortcomings of self/co-regulation. It was felt that self-regulation enabled regulators to be too sympathetic to industry concerns at the expense of societal priorities. For example, respondents from alcohol charities with experience of making complaints observed that codes were frequently breached, or that firms would ‘work around’ the codes so that the spirit of the rules was not adhered to. The inadequacy of the codes was particularly acute in regulating both sponsorship and online marketing, with social media in particular outpacing code development.

Respondents also commented on what they described as pre-prepared defences to complaints. Sanctions, particularly for breaching the industry codes, were regarded as extremely weak, often simply banning the offending advert retrospectively (the complaint-based approach meant that the advert had already aired before it could be pulled). Worse, some brands used such bans to their advantage in creating a ‘cool’ brand identity - respondents highlighted this as a particularly noteworthy flaw in the current regulatory regime. There were also concerns over the ‘streamlined’ nature of the complaints procedure. Respondents commented on the Portman group offering a ‘Fast Track’ option which is not published in the same way as a full complaint. Some respondents likened this to a ‘quiet option’ with, in their view, where justice is not seen to be done, and the potential power of shaming brands reduced.
**BINDING LEGISLATION**

Discussion of this option was focused around the French ‘Loi Evin’. *Loi Evin* adopts a clear prescriptive approach in telling advertisers what they can say rather than what they cannot. Not surprisingly this did not meet with industry approval, but the law survived industry challenges to it in the European Court of Justice and is now well established in France. The firm clarity of the law was seen by some respondents as beneficial, with prescription avoiding the subjectivity of self-regulatory codes.

Another perceived advantage of *Loi Evin* was its recognition of the need to regulate sponsorship as well as advertising. Respondents identified this as a particularly important (and workable) element of *Loi Evin*, noting that France is still hosting international sporting events despite the ban. Explaining his approval, one respondent noted his experience of attempts to reform the regulation of alcohol, and the fierce lobbying from brand owners against sponsorship restrictions. Another perceived benefit was that the removal of so called ‘lifestyle’ advertising by *Loi Evin* may lead to better informed consumers because adverts have to provide information on the quality and origin of the product. Finally, there was approval that *Loi Evin* exemplified legislation that conformed to the UN Convention on the Rights of the Child, Article 3: “The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers”\(^{46}\).

This general approval was tempered by some concerns. Firstly, though seemingly very strong legislation, *Loi Evin* still only regulates individual media, not brands as a whole. Secondly, some were worried that *Loi Evin* creates a combative approach with industry: some felt that where strict measures are imposed on an industry, the industry reacts by seeking to achieve the very minimum standards required. That said, industry accusations that *Loi Evin* illustrated a ‘nanny state’ approach were largely dismissed with many respondents feeling that this was a rather tired attack.

In spite of their general approval of *Loi Evin*, there was unanimous agreement that the UK was unlikely to adopt similar legislation, at least in the foreseeable future, with such an approach viewed as too big a step from current policy. Some respondents criticised the present government as timid in its approach to industry, and unwilling to legislate in such a way.

**OTHER ISSUES RAISED CONCERNING THE REGULATION OF BRANDS**

Respondents were mixed in their responses to the question whether an identity may be regulated. Respondents called for an objective definition of a brand, but differed in their own understanding of what contributed to a brand image. It was, however, generally agreed that focusing on individual pieces of media does not adequately regulate a brand.

Many respondents spent time discussing the perceived mind-set of the industry, its reluctance to accept responsibility, and its lobbying power. There was general agreement that
the industry was not inclined to accept responsibility for the effects of its marketing. The industry belief was that responsibility for harm lay with users of their products. Some respondents emphasised the importance of sponsorship, especially the sponsorship of sport; indeed, sponsorship was seen by some to play a key role in the awareness of alcohol and its availability. Respondents noted how powerful the industry was, as well as its resources to fund expert legal advice and aggressive lobbying. There was some fear expressed that the advent of tougher regulatory regimes could cause brand owners to become more combative, and some respondents saw the possibility of increased flouting of the difference between the spirit of the law and the letter of the law. The same would be true of any new regulation, so the regulation would need to be robust. Finally, the point was made that as marketing becomes increasingly borderless and global in nature, so national regulations will become ever harder to apply.
DISCUSSION

This study was prompted by significant concerns about the levels of under-age consumption of alcohol in the UK. The scoping of the literature found evidence that alcohol industry marketing influences overall alcohol consumption trends\textsuperscript{48-52}. Examination of how marketing works suggests that the current regulatory focus on media control is being bypassed by fleet-footed marketers who use powerful brands to increase consumption\textsuperscript{53-55}. These marketing forces are not spread evenly across the sector: the sector’s own figures suggest that some brands are more appealing to young people than others\textsuperscript{56}. To find out more about regulation of the alcohol industry in general and alcohol brands in particular, interviews were undertaken with academics and public policy specialists in marketing regulation.

ACADEMIC AND PUBLIC POLICY SPECIALIST OPINIONS

Interviews with academics and public policy specialists found that while they acknowledged the flexibility and ease-of-use of the current self-regulatory arrangements, these attributes were completely outweighed by the serious concerns expressed about self-regulation’s fitness for purpose. Industry marketers were described as consistently flouting the spirit of the codes, easily out-flanking the codes with the use of on-line media, social media, and sponsorship, and using sanctions such as post-hoc advert bans were perceived to be completely inadequate deterrents.

Table 1 SUMMARY OF ALCOHOL BRAND REGULATION OPTIONS CONSIDERED IN DISCUSSIONS

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<td>Setting public health related targets to industries that are deemed to be causing problems. If, for example, a particular brand is shown to have particular youth appeal its owners could be required to reduce this appeal within a given timescale.</td>
</tr>
<tr>
<td>2. Self-regulation\textsuperscript{58}</td>
<td>Self-regulation is administered by the alcohol industry-funded Portman Group.</td>
</tr>
<tr>
<td>3. Traditional (binding regulation) e.g French Loi Evin\textsuperscript{59}</td>
<td>Rules in law which advertisers must follow; most notably that the law instructs advertisers on what they can say (largely limited to factual information about the product) rather than what they cannot.</td>
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In contrast, as an international comparator, the French Loi Evin law was seen as much more effective with strict controls over marketing content, but there was little optimism that such a law would be introduced in the UK.
Finally, given its theoretical ability to distinguish between brands and identify perpetrators a new idea, Performance Based Regulation (PBR) was discussed. PBR was regarded as intriguing and could offer ‘the best of both worlds’ in potentially offering powerful sanctions, and avoiding the trap of regulating media at the expense of regulating brands. However, PBR raised many questions, not least the need for a new regulator and the difficulties of administration, but more worryingly the general feeling that it would be forcefully legally challenged by the powerful alcohol industry on restraint of trade and other grounds.

**STRENGTHS AND LIMITATIONS**

No research has previously sought to examine views on brand-specific regulation of alcohol brands rather than the industry as a whole. The study was however subject to resource and time constraints and it would be beneficial to interview representatives from the alcohol industry to find out their perceptions of alcohol brand regulations. This will provide a more rounded and in-depth exploration of alcohol brand regulation policy options.

**FURTHER WORK**

Given the mixed responses that we found to Performance Based Regulation, future research should examine a wider range of possible regulatory and other interventions. A recent series in the *Lancet* on the obesity crisis proposed a range of interventions which we have adapted in Table 3 as a research agenda of possible ways that alcohol harm may be reduced.

Table 2 AN AGENDA OF INTERVENTIONS TO ADDRESS ALCOHOL MARKETING

<table>
<thead>
<tr>
<th></th>
<th>Governments holding private sector companies to account</th>
<th>Civil society holding governments to account</th>
<th>Civil society holding private sector companies to account</th>
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</thead>
<tbody>
<tr>
<td>Regulatory</td>
<td>Legal direct regulation through laws and regulations specifying required conduct</td>
<td>Formal submissions to official inquiries, policy development, and law reform processes</td>
<td>Consumer protection through regulatory agencies, which have a mandate to protect consumer health and welfare, against harmful practices and deceptive claims by alcohol companies</td>
</tr>
<tr>
<td>Quasi-regulatory</td>
<td>Legislative and regulatory support to strengthen and improve private sector initiatives so they are more accountable, credible, and better able to achieve public interests and objectives</td>
<td>Conflict of interest policies, registers of financial interests, public disclosure of all interactions between government and alcohol industry to ensure transparency</td>
<td>Codes of conduct and ethics guidelines: invoking the maintenance of professional ethics and standards of conduct within the private sector</td>
</tr>
<tr>
<td>Political</td>
<td>Policy directions in which government clearly communicates its policy directions and expectations of alcohol industry stakeholders</td>
<td>Formal policy processes to give governments feedback on performance through formal channels (e.g., policy advisory committees)</td>
<td>Shareholder activism including proposing resolutions at companies’ annual general meetings (note – this is difficult to activate if the companies are not based in the UK)</td>
</tr>
<tr>
<td>Market-based</td>
<td>Fiscal instruments such as taxes, subsidies, and concessions to influence market behaviour</td>
<td>Consumer demand strengthened or weakened (e.g., through a boycott) for a company’s products and services</td>
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<tr>
<td>Public communications</td>
<td>Public feedback (praise or criticism) through the media from politicians on the performance of alcohol companies</td>
<td>Public feedback on performance of governments and politicians by civil society (e.g., through advocacy campaigns, opinion polls, public forums, watchdog organisations, league tables, and demonstrations)</td>
<td>Public feedback on performance of alcohol companies with praise or criticism by civil society</td>
</tr>
<tr>
<td>Private communications</td>
<td>Private feedback on performance to key people within companies or industry bodies from politicians or civil servants</td>
<td>Private feedback on performance to key people within government from civil society</td>
<td>Private feedback on performance to key people within companies or industry bodies from civil society</td>
</tr>
</tbody>
</table>


At the moment attempts to influence policy are contested by the industry on the grounds of lack of evidence that a causal link between marketing activity and under-age consumption exists.
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15. Parkin (2011) [as n.1 above].
16. Praud et al. (2015) [as n.3 above]
17. Angus et al. (2016) [as n.4 above].
23. World Health Organisation – Europe (2015) [as n.6 above]
28. Scott and Kaner (2014) [as n.7 above]
29. Gordon et al. (2010) [as n.8 above]
30. Lin et al. (2012) [as n.10 above]
31. Anderson et al. (2009) [as n.9 above]
36. Section 1(10) BCAP and Article 9(1)(e) of EU Directive 2010/13 on audiovisual media services: ‘audiovisual commercial communications for alcoholic beverages shall not be aimed specifically at minors and shall not encourage immoderate consumption of such beverages’.
37. Section 9(13) BCAP.
41. Rigaud & Craplet (2004) [as n.11 above]
42. Sugarman (2009) [as n.12 above]
43. Sugarman (2009) [as n.12 above]
45. Rigaud & Craplet (2004) [as n.11 above]
46. Rigaud & Craplet (2004) [as n.11 above]
48. Sugarman (2009) [as n.12 above]
49. Scott & Kaner (2014) [as n.7 above]
50. Gordon et al. (2010) [as n.8 above]
51. Lin et al. (2012) [as n.10 above]
52. Anderson et al. (2009) [as n.9 above]
53. McClure et al. (2009) [as n.32 above]
57. Rigaud & Craplet (2004) [as n.11 above]
58. Sugarman (2009) [as n.12 above]
59. Noel JK, Babor TF, Robaina K (2017) [as n.44 above]
63. Swinburn, B., Kraak, V., Rutter, H., Vandevijvere, S., Lobstein, T., Sacks, G., Gomes, F., Marsh, T. and