

Alcohol Advertising – ARA

Including:

the Commercial Communication Basic Rules

additional rules relating specifically to Packaging, Promotions and Media

the Compliance and Monitoring Procedures

the Complaints Handling Procedure

Introduction

This Code represents a firm commitment by the members of the Industry Association for Responsible Alcohol Use (ARA) to high standards in all of their commercial communication activities. The Code incorporates mechanisms to deal effectively with transgressions.

Members' commitment to the Code ensures that their commercial communication activities are, at all times, responsible, legal, decent, honest and truthful.

The ARA's approach is informed by the body of scientific evidence which indicates that responsible, moderate consumption by those not at risk can be compatible with a balanced and healthy lifestyle. At the same time, excessive or irresponsible consumption of alcohol may result in negative personal, social or health consequences, and the ARA believes it has a role to play in seeking to find and implement solutions to the problems of alcohol misuse and abuse.

While the ARA believes that advertising does not impact on overall consumption or misuse, and is supported by international research in this regard, the association deems it necessary to follow a strict self-regulatory code—

- Because its members wish to make absolutely clear that they do not encourage irresponsible drinking.
- Adherence to the Code and compliance system is also a way to reassure society of the ARA members' objective – to responsibly market their products only to adult consumers not at risk, who have chosen to consume alcohol beverages. Effective self-regulation is essential to the ARA's partnership with government and to maintaining the South African public's trust.

Object of the Code

The object of the Code is to provide guidance for the commercial communication of alcohol beverages. As such, the Code is in addition to all regulatory requirements that already exist in South Africa.

Commercial communication includes advertising in all media (including all digital channels), packaging, promotions, merchandising and sponsorship.

Compliance must be to both the letter and the spirit of the Code.

Basic rules

1. Commercial communication must—
 - be legal, decent, honest and truthful and conform to accepted principles of fair competition and good business practice
 - be prepared with a due sense of social responsibility
 - demonstrate sensitivity in regard to issues of culture, gender, race and religion
 - not be unethical or otherwise impugn human dignity or integrity
 - not employ themes, images, symbols or figures which are likely to be considered offensive, derogatory or demeaning
 - comply with all regulatory requirements
2. Commercial communication may not feature or encourage irresponsible, risky or excessive drinking.
3. Commercial communication may not present abstinence or moderate consumption in a negative light.
4. Commercial communication may not be directed at persons under the age of 18 years, and no one depicted in the act of drinking in commercial communication may be younger than 25. Persons under the age of 18 may be depicted where it would be usual for them to appear, e.g. in family scenes or in background crowds, but it may not, in any way, be suggested that they have or are about to consume alcohol beverages.
5. Commercial communication may not employ images or icons that have unique appeal to children.
6. Commercial communication may not imply that alcohol beverage consumption is essential to business and/or social success or acceptance or that refusal to consume is a sign of weakness.
7. Commercial communication may not be suggestive of sexual indulgence or permissiveness, portray nudity or present an improper portrayal of near nudity, present any situation derogatory to the virtue of either sex or claim or suggest that alcohol beverages can contribute directly to sexual success or seduction.

8. Commercial communication may not induce people in an improper manner to prefer a drink because of its higher alcohol content or intoxicating effect. Factual information on alcohol strength may be included for the guidance of consumers.
9. Commercial communication may not claim that alcohol beverages have curative qualities, or offer it as a performance enhancer, stimulant, sedative or tranquilliser.
10. Commercial communication may not depict or include pregnant women.
11. Commercial communication may not suggest the consumption of alcohol beverages under circumstances that are generally regarded as irresponsible, inadvisable, improper or illegal, e.g. preceding or during any operation requiring sobriety, skill or precision.
12. Commercial communication may not suggest any association with aggressive, violent or anti-social imagery or behaviour, illicit drugs or drug culture.

Additional rules relating to promotions

1. Events and competitions directed primarily at persons under the age of 18 may not be linked to any alcohol beverage brand or product through sponsorship. It should be stated specifically that persons under the age of 18 are ineligible to participate in events and competitions aimed at promoting a brand or product.
2. Product launches and promotions may not include activities which encourage excessive or irresponsible consumption such as “boat races” or “down-downs”.
3. Consumers who attend promotions must be encouraged to assume personal responsibility for their decision to drink or not to drink.
4. Extended promotions and tastings may not be confined to the consumption of alcohol beverages alone. Appropriate snacks or meals should be available.
5. On-campus promotions by ARA members will be arranged in a manner which meets with the approval of the university authorities and when in doubt proof of age will be requested to ensure that alcohol beverages are not served to those under the legal drinking age.
6. Members may not run promotions which encourage increased consumption over a limited period of time, such as “two for the price of one” promotions. Price, however, may be used in on-premise promotional activity provided that it is directly linked to the trial of a specific brand or product.

Additional rules relating to packaging

1. In order to promote the responsible use of alcohol beverages, packaging of the highest practical quality, which leaves absolutely no doubt as to the fact that the product contains alcohol, must be used.
2. Packaging which improves the convenience of storage, transport and serving is acceptable, provided that it does not encourage the impression that alcohol is a bulk commodity.
3. Labels, which tend to degrade alcohol beverages by using colloquial names such as dop, booze and grog may not be used.
4. The alcohol strength of a product may not be used as the principal subject of a label. Legislation requires that the alcohol strength be provided for the guidance of the consumer.
5. The packaging of alcohol beverages may not be directed at persons under the age of 18 and may not have unique appeal to children.
6. Labels may not convey sexual innuendo.

Additional media rules

Regardless of any regulations which may already be applied by media owners, ARA members subscribe to the following—

1. Advertisements may not be transmitted in the commercial breaks immediately before, during or immediately after children's programmes on television or radio.
2. Advertisements will not be placed in any medium aimed specifically at children.
3. TELEVISION: In addition to 1 and 2 above, the following rules apply to advertisements in the television medium.
 - I. Programmes with a verifiable 30% or more viewership of persons under the age of 18 may not contain alcohol beverage advertisements. (the so-called 70/30 rule).
 - II. Alcohol beverage advertisements may not be flighted between 14h00 and 17h00 on Monday to Friday.
 - III. Alcohol beverage advertisements may not be flighted before 12h00 on Saturday and Sunday.
 - IV. In the case of sporting events where the main sponsor is an alcohol beverage company, the 70/30 rule outlined in I above will still apply for the flighting of alcohol beverage advertisements.

- V. All alcohol beverage advertisements on television will contain the statement: “Not for sale to persons under the age of 18”. Examples are contained in annexure A and the minimum specifications for this statement are—
- a. Arial bold is to be used as the standard font
 - b. True Type Title casing is to be used
 - c. The statement must be visible and legible and placed at the bottom of the advertisement
 - d. A white block with black rule at the top of the block is to be used as a holding device for the underage line.
 - e. The block should be 10% of the height of the advertisement
 - f. The statement is to run as one unbroken line.
 - g. The whole duration of any TV ad should have the statement in the above format.
 - h. “Enjoy Responsibly” or a similar message may be included as part of the underage statement depending on the execution and providing it does not detract from the underage statement.
4. RADIO: In addition to 1 and 2 above, the following rules apply to advertisements in the radio medium.
- I. As the current measurement of listenership only profiles an audience of 15 years and above, the ARA will assume that such a profile serves as a proxy for those under 15 years of age.
 - II. For alcohol beverage advertisements on radio, the 70/30 rule will apply.
 - III. No alcohol beverage advertisements will be broadcast between 06h00 and 09h00 and between 14h00 and 17h00 Mondays to Fridays and between 08h00 and 12h00 on weekends.
 - IV. In addition to the rules above, airings must take into account the programme’s appeal to youth based on verifiable profile data, the programme presenter’s profile and the profile of the audience call-ins.
 - V. All advertisements on radio will contain the statement: “Not for sale to persons under the age of 18”. The minimum specifications for this statement are—
- a. The last 5 seconds of any radio ad should feature the underage statement read in a voiceover in the same language as the main message.
 - b. The voice should be clear, audible and unrushed and may be different voice to that used in the main message.

- c. “Enjoy Responsibly” or a similar message may be included as part of the underage statement depending on the execution and providing it does not detract from the underage statement.
5. CINEMA: In addition to 1 and 2 above, the following rules apply to advertisements in the cinema medium.
 - I. The 70/30 rule will apply and the ARA members will ensure that compliance with this rule is achieved through contractual arrangements between members and cinema owners.
 - II. Cinema advertisement selling companies will be required to submit film titles to the ARA with a qualitative assessment of the audience profile in terms of the 70/30 rule.
 - III. All alcohol beverage advertisements in the cinema will contain the statement: “Not for sale to persons under the age of 18”. The minimum specifications for this statement are—
 - a. Same as for Television
6. PRINT: In addition to 1 and 2 above, the following rules apply to advertisements in the print medium.
 - I. The 70/30 rule will apply.
 - II. The proxy for the age profile will be the same as used for the radio medium.
 - III. All advertisements in print will contain the statement: “Not for sale to persons under the age of 18”. Examples are contained in Annexure A and the minimum specifications for this statement are—
 - a. Arial bold is to be used as the standard font
 - b. True Type Title casing is to be used
 - c. A white block with black rule at the top of the block is to be used as a holding device for the underage statement
 - d. The block must be 10% of the height of the advertisement
 - e. The block must be at the bottom of the advertisement and must run the entire width of the advertisement
 - f. Where the advertisement covers more than a page, for example a four page foldout, the statement must be displayed on each page
 - g. “Enjoy Responsibly” or a similar message may be included as part of the underage statement depending on the execution and providing it does not detract from the underage statement.

7. **OUTDOOR:** As viewership age profiles are not available for this medium, the following rules will apply to achieve the objectives of the ARA commercial communication rules.
- I. No billboards advertising an alcohol beverage brand or product will be placed within 200 meters of schools, community centres and churches.
 - II. In the case of building wraps and billboards larger than Super 96 size, no alcohol beverage advertisement will be placed within 500 metres of schools, community centres and churches.
 - III. All alcohol beverage advertisements in outdoor media will contain one of the statements (on an equivalent basis): “Not for sale to persons under the age of 18” or “Be Responsible. Don’t Drink and Drive”. Examples are contained in annexure B and the minimum specifications for these statements are—
 - a. Arial bold is to be used as the standard font
 - b. True Type Title casing is to be used
 - c. A white block with black rule at the top of the block is to be used as a holding device for the underage statement
 - d. The block should be 10% of the height of the advertisement
 - e. The block must be at the bottom of the advertisement and must run the entire width of the advertisement however for large formats such as landscape wraps the underage statement must appear at 20 metre intervals on every wrap face
 - f. “Enjoy Responsibly” or a similar message may be included as part of the underage statement depending on the execution and providing it does not detract from the underage statement.
8. **ADVERTORIALS:**
- I. All advertorials to carry the underage statement as specified for print.

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