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LIMITING THE EXPOSURE  
OF YOUNG PEOPLE  
TO ALCOHOL ADVERTISING

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ALCOHOL MARKETING COMMUNICATIONS MONITORING BODY

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**FIFTH ANNUAL REPORT 2010**

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# 01.

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## CHAIRMAN'S FOREWORD

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On behalf of the Alcohol Marketing Communications Monitoring Body, I am pleased to present our Fifth Annual Report (for 2010) to the Minister for Health and Children.

Our task as a Monitoring Body is to oversee the implementation of and adherence to Voluntary Codes of Practice to limit the exposure of young people under the age of 18 years to alcohol advertising.

As this Fifth Annual Report shows there was overall compliance in 2010 by television, radio, cinema, outdoor contractors, newspapers and magazines with the obligations set down in the Codes.

In that context, I would like to thank the television stations, the radio stations, the cinema contractors, the Outdoor Media Association and the print media for their cooperation with the monitoring process and their prompt response to our requests for information.

There were, however, a number of breaches of the Codes during the year. Where breaches were identified, the Monitoring Body requested that immediate remedial action be taken to rectify the position. We also asked that procedures be put in place to prevent further breaches occurring. In addition, from time to time, we reminded media players of the need to adhere to the 'spirit' of the Codes. The aim of the Codes is to limit the exposure of young people to alcohol advertisements. As a Monitoring Body, we have determined that this overall obligation will take precedence when doubts arise about the meaning of certain sections of the Codes.

The Codes of Practice were due to be reviewed by the Codes' partners in June 2010. In our 2009 Annual Report, we made a number of recommendations for improvements to the Codes for consideration as part of the review. We were advised by the Department of Health and Children in June 2010 that, pending the outcome of the review of the Codes, the monitoring processes – including the Monitoring Body – should remain in place. The Monitoring Body understands that the Department is awaiting the recommendations on alcohol marketing from the Steering Group developing the National Substance Misuse Strategy which is due to report later in 2011.

As Chairman, I would like to thank the members of the Monitoring Group for the commitment and professionalism they brought to the task of monitoring compliance with the Codes. I would also like to express my gratitude to the Advertising Standards Authority for Ireland, in particular Orla Twomey, who provide us with secretarial and executive support.

*Mr. Peter Cassells, Chairman of the Monitoring Body*

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## INTRODUCTION

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In 2002, the Minister for Health and Children met with representative organisations from the advertising industry: the Association of Advertisers in Ireland (AAI), representing advertisers; the Institute of Advertising Practitioners in Ireland (IAPI), representing the advertising agencies; and the Drinks Industry Group Ireland (DIGI), representing the alcohol drinks industry.

The discussions centred on the Minister's concerns about some of the content, weight of exposure and placement of alcohol advertising. In addition, discussions were held on the sponsorship of music and sports events by alcohol drink companies. Following on from this, representatives from the Health Promotion Unit in the Department of Health and Children had a series of meetings with all the industry stakeholders, including the media owners involved (TV, Radio, Outdoor and Cinema). A number of jointly-agreed initiatives were subsequently put in place to deal with the Department's concerns.

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### 1. Initiatives

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#### **Establishment of Central Copy Clearance Ireland Ltd. (CCCI)**

This organisation was set up in February 2003 and is jointly run by AAI and IAPI on behalf of the Advertising Industry. It pre-vets each individual piece of advertising for any alcohol beverage, whether the advertisement is made in Ireland or developed internationally, if it is intended for use in any Irish media.

Advertisements are pre-vetted against the Broadcasting Authority of Ireland (BAI) regulations and the Advertising Standards Authority for Ireland (ASAI) self-regulatory code. Unless an advertisement conforms to these codes/regulations and acquires an approval number from CCCI, no Irish media owner will accept it for publication. The Board of CCCI issues a report each year highlighting its activities. This pre-vetting has been acknowledged as making a positive difference to advertising content and, consequently, significantly reducing the numbers of complaints made about alcohol advertising since 2003.

#### **The Development of Media Weight and Placement Codes for TV, Radio, Cinema, Outdoor, Print and the Internet**

Media Codes were also agreed by all the parties involved with the objective of limiting exposure of young people (under 18 years) to alcohol advertising. These Codes, unique for each industry, restricted the placement and weight of exposure of alcohol advertising in the four key media, nominated by the Department, i.e. TV, Radio, Cinema and Outdoor. These Codes were developed by November 2003 and came into force in January 2004. In November 2005, they were publicly endorsed by the Minister for Health and Children. In addition, the Broadcasting Authority of Ireland, when developing its General Advertising Code for Broadcast Media launched in April 2007, acknowledged and recognised these Codes. Following the review of the Codes in 2008, codes for Print and the Internet were also agreed.

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**Sponsorship Code**

This Code covers the sponsorship of, and activities surrounding, events involving the alcohol drinks industry. At the request of the Department it particularly focused on music and sporting events. It was jointly agreed and implemented in May 2004.

**Monitoring Body**

In November 2005, the Department also established an independent monitoring body, the Alcohol Marketing Communications Monitoring Body (AMCMB) under the chairmanship of Mr Peter Cassells. Its function was to monitor the level of adherence by advertisers and media owners to all these Codes. The Department, the BAI and representatives of the Advertising and Alcohol Drinks Industry are represented on this body. It issued its first annual report for 2006 in the summer of 2007. That report and subsequent reports have shown a high level of compliance by advertisers and the media owners to the various Codes.

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**2. Review of Codes**

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Following consideration of the First Annual Report of the AMCMB for 2006, the partners to the Codes met to review the various Codes and commitments made by the Advertising and Alcohol Drinks Industries. Following a series of meetings the revised Codes were agreed between the Department of Health and Children, the DIGI, the Alcohol Beverage Federation of Ireland (ABFI), the AAI and the IAPI.

These Codes are intended to be complementary to existing statutory obligations and other voluntary codes that exist in the area of alcohol advertising, such as the Codes of the BAI, the ASAI and Mature Enjoyment of Alcohol in Society (MEAS). These are set out in full in Appendix 1.

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## OBLIGATIONS UNDER THE CODES

### General Principles of the Codes

The purpose of these Codes is to reduce the exposure of young people to alcohol advertising and marketing. The Codes also aim to limit the overall level of alcohol advertising and sponsorship across all media in Ireland.

1. The Codes are subject to review by the partners based on the findings of the AMCMB.
2. For the purposes of these Codes children/young people are defined as those under the age of 18. Adults are therefore defined as those over 18 years of age.
3. The Codes herein are based on the principle of audience profiling across all media and sponsorships whereby alcohol advertising/marketing is not permitted unless the relevant medium has an adult audience profile of 75% or greater.
4. In addition, where alcohol advertising is permissible under audience profiling a weight ceiling will apply across all media and sponsorships whereby alcohol advertising will be limited to no more than 25% of available space on any occasion.
5. The provisions of these Codes apply to all alcohol advertising, purchased in any media, based in the Republic of Ireland, and/or aimed at the Irish marketplace.
6. All alcohol advertisements must be pre-vetted and carry the CCCI stamp of approval before acceptance by any media.
7. All alcohol advertisers, agencies and media owners will co-operate and comply with requests from the AMCMB.



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# Codes of Practice<sup>1</sup>

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## Television

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- Advertising for alcohol will only be booked by an alcoholic drinks advertiser or its agency or placed by the Broadcasters in any programming with an adult audience profile of 75% or greater.
- Where alcohol advertising is permissible under audience profiling a maximum of 25% of sold advertising time and only one in four advertisements for alcohol products is permissible across the broadcast day, excluding the period from 6am to 10am. Additionally, no more than two advertisements for alcohol products can appear in any commercial break. The full provisions of this clause are specifically intended to apply to the peak viewing periods from 6pm to 11.30pm.
- No alcohol advertising will be placed in any programme specifically aimed at children/young people.
- Family 'breakfast' TV time (6am – 10am) will be treated as children's viewing time and will not carry any alcohol advertising.
- No alcohol sponsorship of sports programming will be allowed, including any sports bulletins.
- No solus/whistle breaks advertising spots for alcohol brands will be allowed during sports broadcasting.
- Every TV Broadcaster regulated in the Republic of Ireland will enforce a Code of Conduct for their presenters ensuring that speech content that glamorises or encourages over-consumption or misuse of alcohol is prevented.
- It is the intention of members of DIGI and ABFI to ensure that the principles of this television code are extended, as far as is possible, to the opt-out TV channels accepting alcohol advertising, aimed specifically at a Republic of Ireland audience.

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## Radio

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- Alcohol advertising will only be allowed during programmes with an adult audience profile of 75% or greater.
- Where alcohol advertising is permissible according to the audience profiling a weighting ceiling will apply whereby alcohol advertising will be limited to no more than 25% and only one in four advertisements for alcohol products across the broadcast day, excluding the period from 6am to 10am. Additionally, no more than two advertisements for alcohol products can appear in any commercial break. The full provisions of this clause are specifically intended to apply to the peak listening periods from 10am to 2pm.
- No alcohol advertising will take place during any programme aimed specifically at young people. Broadcasters will designate young people's programmes per schedule.
- Family 'breakfast' radio time (6am – 10am) will be treated as children's listening time and will not carry any alcohol advertising.

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1. The Codes are set out in full in Appendix 1

- No alcohol sponsorship of sports programming will be allowed, including any sports bulletins.
- A Code of Conduct for presenters whereby speech content that glamorises or encourages over consumption or misuse of alcohol will be enforced by the Independent Broadcasters of Ireland (IBI), RTÉ and the BAI Radio Stations. Training programmes will be put in place to ensure that their presenters fully comply with the Code and they agree to comply with the appropriate monitoring mechanism.

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### **Cinema**

- The Cinema Industry will not accept alcohol advertising from strength alcohol brands i.e. brands with ABV > 25% or their Ready To Drink variants.
- Alcohol advertising will only be shown with films targeting an adult audience and where it is deemed that the attendances will have an adult audience profile of 75% or greater.
- Where alcohol advertising is permissible under audience profiling, advertising from all alcohol brands should account for no more than 25% of total advertising minutage sold per screening.
- No alcohol advertisements will be shown outside of the main advertising reel.

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### **Outdoor Media**

- Notwithstanding the provisions allowable for particular formats listed below, at all times a maximum of 25% of total inventory, by format, will apply to alcohol advertising per cycle per media owner.
  - The Outdoor Media Association (OMA) will not place advertising for any alcoholic drinks within 100 metres of a primary or secondary school entrance. This restriction will also apply to specifically designated Youth Clubs, Scouting and Girl Guide premises. A list of such locations and venues will be drawn up by the Department of Health and Children and agreed with the Outdoor Media Association.
  - No bus shelter wrap rounds for alcohol advertising will be allowed. A maximum of one display of alcohol advertising shall be visible at the same time on a bus shelter from any one viewpoint.
  - No wrap rounds on individual buses. No full side or full rear displays of alcohol advertising allowed to be carried on the exterior of any bus. A maximum of 25% of the aggregate bus exterior panels will carry alcohol advertising, limited to either T-Sides or Supersides on the exterior of a bus. A maximum of one in four bus interior panels will display alcohol advertising.
  - No train or light rail wrap rounds will be allowed. A maximum of one in three train/light rail exterior panels will display alcohol advertising. A maximum of one in four train/ light rail interior panels will display alcohol advertising. No full side or full rear displays of alcohol advertising are allowed to be carried on the exterior of any train/light rail.
  - No wrap rounds allowed on taxis. Only one display of alcohol advertising is allowed to be carried on the exterior of any taxi.
  - Advertising of any alcoholic drink brand in a bus or train station or on the interior of any bus,
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train or taxi will be within the maximum weighting of 25% of the overall advertising space available.

- A maximum of one advertising display on a Prismatic/Scrolling unit will display alcohol advertising.
- A maximum of one advertising display in any group of hoardings will display alcohol advertising.
- There will be no Mesh Building Banners for alcohol advertising.
- No additional large permanent advertisements on buildings, bridges etc. (excluding licensed premises) will be erected.
- There will be no alcohol advertising on designated school buses.

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### **Print Media**

- Alcohol advertisements will only be carried in consumer publications where the adult readership is 75% or greater. A consumer publication or issue is taken to mean the complete edition published that day to include any supplements or advertising inserts.
- A maximum limit of 25% of sold advertising space per issue per consumer publication will apply to alcohol advertising.
- No alcohol advertisements will be placed in any consumer publication or part thereof aimed specifically at young people or 3rd Level Students i.e. campus publications. No alcohol ads will be allowed in parts of consumer publications aimed at young people i.e. comics, teenage magazines.
- Publications will not make outer wrap rounds available to alcohol advertisements.
- No alcohol sponsorship of sports pages or sports supplements will be allowed.

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### **Digital (Non-Broadcast) Media**

- Advertising for alcohol should only be booked by an alcoholic drinks advertiser or its agency or placed by the media owner on any website with an adult audience profile of 75% or greater. Where a profile is not available every reasonable effort should be made to ensure that it is not aimed at young people.
- As a general rule, at all times alcohol advertising or promotions shall not exceed a maximum of 25% of total advertising space available by site/format.
- In the case of sites that offer age-targeting filters such as social networking and e-mail sites (e.g. Bebo, MySpace, Facebook, Hotmail, Yahoo, etc) any advertising for alcohol should be age targeted to 18 years old and upwards using those sites' age-targeting software.
- In the case of streamed and ipTV advertising solutions, all copy guidelines that pertain to broadcast media should be adhered to.

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### **Sponsorships by Alcohol Drink Companies**

Detailed rules regarding alcohol drinks sponsored events have been agreed and are set out in the Code of Practice on Sponsorship in Appendix 1.

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## COMPLIANCE WITH THE ALCOHOL MARKETING, COMMUNICATIONS AND SPONSORSHIP CODES OF PRACTICE – MONITORING PROCESS

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The process for the control and monitoring of alcohol advertisements involves a number of steps. These include the copy clearance by CCCI of all alcohol advertisements published in Irish media, the monitoring by the Monitoring Body of adherence to the Codes to limit exposure of young people to alcohol drink advertising and the investigation by the ASAI<sup>2</sup> of complaints concerning possible breaches of these Codes.

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### Central Copy Clearance Ireland

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Following agreement by all media, all alcohol advertisements carried by Irish media must carry the CCCI Publication Certificate and Approval Number in order to be accepted for broadcast/display. The function of CCCI is to vet the content of alcohol advertisements to ensure adherence to the ASAI Code and the General Advertising Code of the Broadcasting Authority of Ireland.

The CCCI system has been in place since mid-2003. The ASAI has said that it considers that the CCCI system has led to a significant reduction in the number of complaints against alcohol advertisements received and upheld by the ASAI.

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### Alcohol Marketing Communications Monitoring Body

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The function of the Monitoring Body is to oversee the implementation of, and adherence to, the Alcohol Marketing, Communication and Sponsorship Codes of Practice agreed between representatives of the advertising, drinks and media communications industries and the Department of Health and Children. The members of the Monitoring Body are listed in Appendix 2.

The Monitoring Body actively monitored compliance with the Codes through a review of quarterly reports, ongoing review of complaints examined by ASAI, and commissioned research. The details are set out in the following section.

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2. ASAI is the advertising self-regulatory body set up by the advertising industry (advertisers, agencies and media) to enforce the Code of Standards for Advertising, Promotional and Direct Marketing.

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### Active Monitoring by the Monitoring Body

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During the year, reports were received from the media partners to the Codes as follows:

**Television:** Quarterly profiles for each day of the week giving the percentage of under-18s viewing for each relevant half-hour segment.

**Cinema:** Quarterly reports on the advertising reels for proscribed<sup>3</sup> and non-proscribed<sup>4</sup> films.

**Radio:** Nominated programme times detailing which programmes IBI radio stations had designated as not appropriate for inclusion of alcohol advertising. Radio logs for particular dates which set out all advertising carried, the time at which it was carried and the length of the commercial.

**Outdoor:** Reports which detailed for a number of booking cycles<sup>5</sup> all alcohol advertisements and the locations in which they were placed.

**Print:** Reports detailing the alcohol advertising carried for particular dates and what percentage of the total advertising that comprised.

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### Complaints system established by the Monitoring Body

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As in previous years, the ASAI investigated any complaints concerning possible breaches of the Codes. The ASAI submits reports to the Monitoring Body detailing the complaint investigations and their outcome. In 2011, two complaints were received under the Codes. Details are given on page 27.

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### Research commissioned by the Monitoring Body

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The terms of reference provide that the Monitoring Body may commission research to assess adherence to the Codes.

#### Television

With the assistance of the IAPI, GT Media was commissioned to produce reports to allow the Monitoring Body to check compliance with the Codes by the television broadcasters in each quarter. These reports detailed all the alcohol advertisements that had run during the following periods nominated by the Monitoring Body:

Week commencing:      19th December 2009  
                                    24th February 2010  
                                    12th June 2010  
                                    11th July 2010

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3. Films which have been considered likely to have an audience of more than 25% under-18s.

4. Films which have been considered likely to have an audience of more than 75% over-18s.

5. The outdoor booking calendar consists of 26 two week cycles.

Three checks were then made to ensure compliance with the Code. Firstly, comparisons were made against the profile information submitted by the broadcasters to check that no advertising was placed in a time period which the applicable quarterly profile indicated had an under-18 audience greater than 25%.

Secondly, the independent reports were checked to ensure that there was compliance with the provision that:

- a maximum of 25% of sold advertising time related to alcohol advertising
- no more than one in four advertisements related to alcohol and
- that there were no more than two alcohol advertisements in any advertising breaks.

Thirdly, the independent reports were checked to ensure that there was no alcohol advertising in breakfast time (6am – 10am).

### **Cinema**

The Monitoring Body commissioned BBN Media to survey a sample of films and to report on their compliance with the Code's provisions. Those films in which alcohol advertisements were not permitted (proscribed films) were checked to ensure that they carried no alcohol advertisements. Films that were permitted to carry alcohol advertisements (non-proscribed films) were checked to ensure that their reels did not exceed the agreed limits for alcohol advertising.

The survey carried out in December 2009 is reported on in this Annual Report.

### **Outdoor**

In relation to outdoor, the Monitoring Body commissioned reports from Poster Audit Bureau for the following cycles:

	Cycle 5, 1st – 14th March 2010
	Cycle 18, 30th August – 12th September 2010

# 05.

## DETAILS OF ACTIVE MONITORING UNDERTAKEN BY THE MONITORING BODY

### Television

The Monitoring Body received the following quarterly profiles from Radio Telefís Éireann (RTÉ), TV3, TG4, 3e, Setanta and Sky Ireland. The profiles are based on information from Nielsen Media Research (NMR)<sup>6</sup>.

- October – December 2009
- January – March 2010
- April – June 2010
- July – September 2010

### City Channel

City Channel was not able to submit quarterly profiles since NMR does not have a function in place which encompasses local or regional television channels. City Channel have, however, previously confirmed their compliance with the requirements of the Code.

### Opt-Out Channels

The Codes include a commitment by the members of the DIGI and the ABFI to ensure that the principles of the television code are extended, as far as is possible, to the opt-out TV channels that accept alcohol advertising aimed specifically at a Republic of Ireland audience.

Sky Ireland, who had already engaged with the Monitoring Body, are now responsible for the placement of advertising on the majority of such channels broadcast into Ireland. The only exceptions are E4 and E4+ on whose behalf MediaLink sell advertising space for the Irish market. MediaLink have confirmed that they are aware of the Code. In so far as is possible within the requirements set down by the parent channel (Channel 4), they apply the requirements of the Code. The Monitoring Body was satisfied that while the methodology might be different, the primary aim of limiting the exposure of young people to alcohol advertising was being achieved.

### Commissioned research

As explained earlier, comparisons were made with the profile information submitted by the television stations to check whether they were abiding by the Code.

**There were no breaches of the Code's provisions.**

<sup>6</sup> Nielsen Media Research provides audience measurement ratings for television stations.

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**Radio**

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As reported in the 2009 Annual Report, a revised monitoring procedure for radio was introduced following discussions between the BAI and the IBI. Under the procedure, which was further revised during 2010, IBI compile a list of programmes which have a youth audience and which should therefore not carry alcohol advertising. This list is provided to both the BAI and the Monitoring Body. ASAI on behalf of the Monitoring Body requests the advertising logs from all radio stations for sample dates twice each year. These logs are assessed for compliance with the provisions of the Code and any breaches reported to the Monitoring Body. A copy of the compliance report is made available to the BAI through the membership of Michael O’Keeffe, Chief Executive, BAI, on the Monitoring Body. In keeping with their standard monitoring practice, the BAI’s monitoring of a station’s broadcasting output will continue to have regard to alcohol advertising in the context of both broadcasting content and the advertising logs submitted in response to a request for such material by the BAI. This is in keeping with their standard monitoring practice.

**The Monitoring Body received information from the following radio stations:**

4FM	Midlands 103
Beat 102-103 (South East)	Newstalk 106-108
C103	Northern Sound Radio
Clare FM	Ocean FM
Cork 96FM	Phantom 105.2
Dublin’s 98FM	Q102
Sunshine 106.8FM	Radio Kerry
East Coast FM	Red FM 104-106
FM104	RTÉ 2FM
Galway Bay FM	RTÉ Lyric FM
Highland Radio	RTÉ Radio 1
i102-104 (North West & West)	Shannonside 104FM
i105-107 (North East & Midlands)	South East Radio
KCLR 96FM	Spin 1038
Kfm	Spin Southwest
Limerick’s Live 95FM	TippFM
LMFM	TodayFM
Mid West Radio	WLR FM

Radio stations were asked to provide advertising logs for

- 3rd and 6th December 2009
- 7th and 11th July 2010

**There were no breaches of the Code.**

An issue arose, however, in relation to advertising during ‘family breakfast time’ which, while not for an alcohol brand, referred to alcohol such as retail advertising for various products including alcohol, or for alcohol brand sponsored events. As reported in the 2009 Report, the Monitoring Body consider that such advertising should not be placed in this time period and advised the media accordingly in March 2010.

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### Independent Broadcasters of Ireland

The IBI were asked during the year to update the Monitoring Body on the Code of Conduct for Presenters implemented by their members and whether any additional training had taken place in relation to the Code. IBI said that apart from two recent entrants into the independent radio landscape, all IBI member stations had received training in the Code of Conduct for Presenters. It is planned to provide this training for the two remaining stations shortly.

The IBI referred to the fact that, towards the end of 2009, additional reporting features were introduced to the JNLR<sup>7</sup> published information for all radio stations, both independent and RTÉ, at the request of the IBI. This additional information has allowed radio stations to be more accurate in their reporting of programmes which, because of their audience figures, cannot broadcast alcohol advertising in the associated advertising breaks. During 2010, they organised two training courses for independent radio station personnel to inform them of the additional information available and the reporting structure that it would bring about. As a result of these changes, detailed information is provided on the percentage of the audience that is under 18 for every IBI member station, throughout the entire broadcast day.

These training sessions were also used to discuss the changes introduced regarding sports sponsorship and also the additional considerations regarding what constitutes alcohol advertising, as outlined in the communication received from the Monitoring Body early in 2010. IBI indicated that it was their intention to organise similar training sessions in 2011 and undertook to forward details of these to the Monitoring Body.

They said that they had been working closely with Learning Waves on the organisation and provision of training events on the Alcohol Codes. Learning Waves have introduced a Diploma in Production for the independent radio sector and this Diploma includes material on the Alcohol Codes in the Programme Planning module of the course.

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### Cinema

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While at the start of 2010 there were two cinema contractors in Ireland, Carlton Screen Advertising and Pearl & Dean, the situation has now changed and Carlton Screen Advertising became the sole cinema contractor in Ireland.

Information was submitted to the Monitoring Body as follows for a number of dates during the year:

- a. the advertising reels of proscribed films screened during the quarter
- b. the advertising reels for all non-proscribed films screened (so that those reels that carried alcohol advertising could be assessed)
- c. a statement on the number of films screened per quarter and the percentage deemed unsuitable for alcohol advertising
- d. a statement on the actual audience profiles for each film screened during the quarter.

The Codes require that advertising of non-strength alcohol brands will account for no more than 25% of the total advertising minutage of each advertising reel.

There were no breaches of the Code by either Carlton Screen Advertising or by Pearl & Dean in the advertising reels examined.

### **Profiling of Films**

The Code requirement is: *“Alcohol advertising will only be shown with films targeting an adult audience and where it is deemed that at least 75% of the attendance will be aged 18 or over”*. The process by which it is decided whether a film is suitable for alcohol advertising to be included in the advertising reel includes the consideration of the following:

**Genre** • The genre of the film is obtained from the Internet Movie Database (IMDb) ([www.imdb.com](http://www.imdb.com)).

**Certification** • The certificate of the film is checked on the Irish Film Censor website ([www.ifco.ie](http://www.ifco.ie)). Where the certificate is not yet decided, the film is designated ‘To Be Confirmed’ (with an estimate of what the certificate might be, based on genre, etc).

IMDb is checked for a film that is similar, i.e. one that is,

- a) of a similar genre,
- b) has a similar storyline, and
- c) has a similar certificate (if a confirmed certificate on new release is available).

**Comparable Film** • When it is decided what the most appropriate comparable film is, its audience profile is checked against the Republic of Ireland Film Monitor (see below). If the comparable film had an audience where 75% or more were aged 18 years or over, then the new release is deemed suitable to run with alcohol advertising, otherwise the new release is deemed unsuitable to run with alcohol advertising and is proscribed.

The Monitoring Body considered that the method by which a film was designated proscribed or non-proscribed was appropriate.

**Republic of Ireland Film Monitor** • Quarterly research is carried out by the cinema industry to identify trend information on cinema going and to establish cinema profiles. The research is conducted by Milward Brown IMS and is based on a quarterly sample of 1,000 – including a booster of 200 children. Carlton Screen Advertising submitted information on the results of research into the audience profiles of films which had screened during the year.

Where possible Carlton Screen Advertising, when estimating the audience profile for new releases, refer only to comparable films for which the profile was based on a sample size of 100 or more.

The Monitoring Body noted that the Republic of Ireland Film Monitor research indicated that, in a number of cases, the under-18s audience profile was greater than the applicable threshold of the total audience.

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For example, the film 'Crazy Heart' had an 18+ audience of less than 75%. The comparative film in this case was 'Walk the Line', which had an 18+ audience of 83%.

The Monitoring Body was satisfied that due care had been taken in deciding an appropriate comparative movie.

In general throughout the year, the Monitoring Body considered that, in the context of the films involved, there had been no breach of the Code.

### **Commissioned research**

Independent research carried out by BBN Media in previous years demonstrated a high level of compliance with the requirements of the Code. The Monitoring Body therefore decided that while continuing to require information from the contractor on a quarterly basis, independent monitoring would only be carried out once each year (in December). This report will cover the research carried out in December 2009 which was considered by the Monitoring Body in February 2010.

The survey covered eighteen films. Eleven were non-proscribed (alcohol advertising permitted) and seven were proscribed (no alcohol advertising permitted).

Of the eleven non-proscribed films, seven contained alcohol advertisements but were within the threshold of 25% of available time.

Of the seven proscribed films, one advertising reel contained an alcohol advertisement. The film, 'Paranormal Activity', was screened in the Savoy Cinema in Dublin. Carlton Screen Advertising were asked for an explanation for the breach.

They said that they had checked the advertising playlist for 'Paranormal Activity' in their scheduling system and that it had (correctly) contained no alcohol advertising. The playlist for another film, 'Law Abiding Citizen', matched that viewed by the cinema monitor and this indicated that due to human error on behalf of the projectionist, the wrong advertising reel had played with 'Paranormal Activity'.

They said they took these errors very seriously and had immediately contacted the cinema who had apologised and accepted that an error had occurred.

Carlton Screen Advertising apologised for the breach of the Code and said that they and the Savoy Cinema had put in place additional checks to ensure that the situation would not happen again.

### **Outcome of Commissioned Research: One Breach**

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## Outdoor

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The Monitoring Body received information from the following contractors:

- Adspec
- Bravo\*
- CBS Outdoor\*
- Clearchannel\*
- JC Decaux\*
- National Outdoor Limited
- Premium Poster Panels
- Regan Advertising
- Sportsground Advertising

\* Members of the Outdoor Media Association.

The Monitoring Body was pleased to note that Regan Advertising had started to engage in the process and had confirmed their commitment to it.

The outdoor contractors were asked to provide details of the advertising they carried, by format, and to indicate which were alcohol and which were not. The Cycles for which this information was requested were:

- Cycle 23, 2009 (2nd – 15th November)
- Cycle 5, 2010 (1st – 14th March)
- Cycle 18, 2010 (30th August – 12th September)

**No breaches were identified.**

### Commissioned Research

Poster Audit Bureau (part of the PML Group) provided reports for Cycle 5 and Cycle 18.

#### Cycle 5

There was one breach reported in the Cycle 5 report.

The Code requires that a maximum of one advertising display on a Prismatic/Scrolling unit will display alcohol advertising. Two displays on one unit carried alcohol advertising. The contractor, JC Decaux, was asked for an explanation.

JC Decaux confirmed that the breach had occurred.

They explained that their system is set up to recognise alcohol clashes on this unit. In Cycle 4, a 96 sheet alcohol advertisement was active on panels one and two. In Cycle 5, two different advertisements (one alcohol) were booked on panels one and two, which would blank out the previous alcohol advertisement poster and the site would display alcohol correctly in accordance with the Code.

These instructions were issued to their billposter. However, not all six faces on this unit were sold in Cycle 5 and the billposter posted the two new campaigns over faces five and six, leaving the previous alcohol advertisement on display at the same time and therefore causing the site to breach the code.

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JC Decaux stated that they have a very strict policy in relation to this matter and their billposters work on a 'three strikes and you are out' basis. In addition, they receive no payment for their work when an alcohol breach occurs for which they are responsible. They said that the billposter in question had been reprimanded by their Operations Manager and this was documented on his file.

JC Decaux said that they were satisfied that their system did everything possible to avoid this clash, but in this instance 'human error' led to the breach.

This breach was not apparent from the information supplied by JC Decaux to the Monitoring Body as the error did not occur as the result of an incorrect booking but as the result of a posting error and demonstrates the importance of both methods of monitoring being carried out in order to fully check compliance with the Code provisions.

### **Cycle 18**

An issue was highlighted by the independent survey in Cycle 18. Outdoor advertising is booked for two-week cycles. The posting of large format posters are staggered within a given cycle – posting starts on day one and is complete by day seven so, for some sites, their two-week period straddles two posting Cycles. This means that, at a given point in time, what is on display may differ from what is actually booked for the Cycle in question. This can lead to an inflated account of the number of sites with alcohol advertising at the particular time an inspection was carried out. However, the actual bookings and display for the majority of the Cycle would be within the 25% threshold.

JC Decaux, the contractor involved, reiterated their commitment to working with the AMCMCMB to comply with the Code. They said that, having analysed their data for Cycle 18 site by site, their records demonstrated that the percentage of large format sites on display to alcohol was 24.49%.

The Monitoring Body noted that these circumstances had not arisen as an issue in previous reports. They did not consider that a breach of the Code had occurred in this instance.

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### **Print / Digital**

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The Monitoring Body has continued to engage with publications and their representative bodies and is generally satisfied with the level of engagement in the process.

### **Magazine and Regional Press**

The Monitoring Body noted that as in previous years there was very little alcohol advertising published in the regional press and in magazines. They also noted that there was only one magazine published in Ireland that was specifically aimed at under-18s; the ASAI reported that they had included it in a monitoring exercise and no alcohol advertising was carried by the publication. Given the volume of alcohol advertising in this sector, the Monitoring Body

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did not consider that structured ongoing monitoring was appropriate. However, at their request the ASAI will include it in their monitoring schedule and report any problems to the Monitoring Body.

### **National Newspapers**

As reported in the previous Annual Report, the Monitoring Body is now satisfied generally with the level of commitment to the process by the National Newspapers of Ireland (NNI) members.

### **Independent Newspapers (Ireland) Ltd**

There were, however, issues about the length of time it took for the Independent Newspapers (Ireland) Ltd to provide information. While information had, initially, been provided it was not in the correct format and was not supplied until dates in February 2010 and later. The information received demonstrated that a number of breaches had occurred.

These were	Quarter 1, 2009	15th March	31% alcohol advertising
	Quarter 3, 2009	30th August	27% alcohol advertising

In addition, in relation to the information provided for 2010, two breaches were identified in Quarter 2:

Quarter 2, 2010	9th June	37% alcohol advertising
	10th June	26% alcohol advertising

The Chairman and Ms Twomey of the ASAI, met with representatives of Independent Newspapers (Ireland) Ltd, who explained that the breaches had occurred because of retail advertisements which referred to alcohol products. They said that these advertisements were often booked on a 'Price and Item' basis and submitted late in the evening.

In the detailed response that they were asked to provide they stated that, in relation to the breach in the *Sunday Independent*, on 15th March 2009, this was two days prior to St. Patrick's Day and the regular retail activity within the publication carried a higher than usual level of alcohol within their advertisements.

The remaining dates also contained a high level of alcohol related products in the retail area including one insert which was solely advertising alcohol products.

They assured the Monitoring Body of their continued co-operation and support at all times.

The Monitoring Body noted the situation and that as the RRAI<sup>8</sup> Code was now in place, the issue of alcohol products in retail advertising would no longer be actively monitored by the AMCMB.

During 2010, daily and Sunday newspapers were asked to provide information as follows

Daily Papers		Sunday Papers
For the week commencing:	Within that week, for the following specified date:	For the following dates:
7th December 2009 22nd February 2010 7th June 2010 16th August 2010	9th December 2009 26th February 2010 11th June 2010 18th August 2010	6th December 2009 28th February 2010 13th June 2010 22nd August 2010
<b>Information requested:</b> <ul style="list-style-type: none"> <li>• The total volume of advertising space sold</li> <li>• The total volume of alcohol advertising space sold</li> </ul>	<b>Information requested</b> <ul style="list-style-type: none"> <li>• a list of all advertising detailing the volume of each advertisement</li> <li>• a list of all alcohol advertising detailing the volume of each advertisement</li> <li>• or a combined list provided it is clear which is alcohol advertising</li> </ul>	

No breaches were identified (apart from those referred to above by Independent Newspapers (Ireland) Ltd).

### Sponsorship

The Monitoring Body had previously received confirmation of compliance with the requirements of the Sponsorship Code from the drinks companies operating in Ireland. A number of companies indicated that they do not carry out sponsorships.

In 2010, the Monitoring Body received information from the following companies – who do engage in sponsorship – about the events that they were sponsoring in 2010. They were satisfied that the companies were aware of and committed to the provisions of the Code.

Barry & Fitzwilliam  
Bulmers  
Coole Swan  
Diageo

Edward Dillon  
Heineken  
Irish Distillers Pernod Ricard  
Richmond Marketing

The Sponsorship Code of Practice requires that in stadia with a capacity of more than 10,000 people, permanent, branded alcohol-advertising signage should constitute no more than 25% of all the advertising space available at any given time. In addition, where events are held in these stadia which will attract an audience below the recommended profile of 75%

18+, or where the featured teams/acts are below legal drinking age, then all those responsible should make every reasonable effort to remove or cover all branded advertisements for alcohol drinks for the duration of such events.

The Monitoring Body wrote to the Football Association of Ireland (FAI), the Gaelic Athletic Association (GAA) and the Irish Rugby Football Union (IRFU). As requested, the three organisations provided a list of their stadia with a capacity of more than 10,000 people and outlined the steps taken to comply with the above requirements. The Monitoring Body was satisfied with the approach of the three organisations.



# 06.

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## GENERAL ISSUES

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### Responsible Retailing of Alcohol in Ireland (RRAI)

The RRAI was established by the Irish retailing industry. Its main objectives are to:

- Implement the RRAI Voluntary Code of Practice on the Display and Sale of Alcohol Products in Mixed Trading Premises.
- Communicate the Code to all relevant stakeholders.
- Support participating retailers to the Code with relevant information and training products.
- Measure compliance to the Code by means of an independent retail audit.
- Establish a credible and effective customer complaint procedure regarding the Code.

Prior to the establishing of the RRAI, the Monitoring Body, when considering alcohol advertising in print media, required publications to include the proportion of alcohol products in retail advertising as part of their total alcohol advertising calculation. The RRAI Code includes a commitment by its members that “any advertisement published in newspapers or magazines must devote at least 75% of any such advertisement to products other than alcohol. This commitment does not apply to a retailer’s own publications or to trade magazines. In addition, the sector undertakes not to commission any alcohol-only radio or television advertising”.

During 2010, the Chairman of the Monitoring Body met with Mr Padraic White, Independent Chairperson of RRAI, to discuss areas of common interest and potential overlaps of the two Codes. The Monitoring Body noted that there was a restriction in place on the amount of alcohol product that could be included in retail advertising which was being monitored by the RRAI.

It was agreed that both organisations would maintain contact in order to highlight any areas of mutual concern.

### Outdoor media

The remit of the Outdoor Code covers traditional outdoor media format. Mobile ad formats are not referred to in the Code. The ASAI have received queries from time to time about the appropriateness of particular media carrying alcohol advertising. This has caused some difficulties in interpretation. However, the overriding view of both the Monitoring Body and the ASAI, is that the spirit of the Code must be respected. In order to assist both media and advertisers the following guidelines have been drawn up:

### Mobile ad formats - Guidance

One of the general principles of the Codes of Practice for Alcohol Marketing, Communications and Sponsorship is that when it is permitted, "alcohol advertising will be limited to no more than 25% of available space on any occasion". For outdoor, this 25% restriction applies to total inventory, by format.

The Outdoor Code is not specific to mobile media formats. However, the following points would appear to be relevant when applying the Codes of Practice for Alcohol Marketing, Communications and Sponsorship in the spirit as well as in the letter.

- Wrap rounds on buses, trains, taxis, bus shelters are not permitted.
- Only one display on a prismatic/scrolling unit can carry alcohol advertising.
- Only one display in a group of hoardings can carry alcohol advertising.
- A maximum of one display of alcohol advertising shall be visible at the same time on a bus shelter from any one viewpoint.

The purpose of these rules would appear to encompass the principle that there should be no dominance of alcohol advertising at a particular point or on a particular format.

When examining if a particular mobile media is suitable to carry alcohol advertising the following questions should be asked

- 1) Does the ad format mean that complete media is covered or almost completely covered (wrap round)?  
If yes, then format is not appropriate for alcohol.
- 2) Does the medium scroll through a series of ads?  
If yes, only one may be alcohol.
- 3) Is there more than one face to the medium?  
If yes, then only one can be alcohol UNLESS
  - If there is more than one face, is it possible to see more than one from any viewpoint?
  - If it is not possible then the media may carry alcohol advertising.
- 4) Is the mobile medium intended to travel in convoy with others?  
If yes, then unless a restriction is put on travelling in convoy when carrying alcohol advertising, it is not suitable for alcohol advertising. (Includes vehicles and personally carried media.)
- 5) Is the mobile media used for events?  
If yes, care must be taken to only use it for events that are 75% 18+ and dominance should be avoided.

December 2010  
V.2 January 2011

### Meeting with the Department of Health and Children

During the year, the Chairman and Ms Twomey met with representatives of the Department of Health and Children to brief them on the work of the Monitoring Body.

### Measuring the Effectiveness of the Provisions of the Codes to Reduce the Exposure of Young People to Alcohol Advertisements.

The Terms of Reference for the Monitoring Body are set out under Effectiveness and Compliance in the Codes of Practice. These terms provide that the Monitoring Body will "... measure the effectiveness of the provisions of the Codes to reduce the exposure of young people to alcohol advertisements."

The Monitoring Body, has with the assistance of the IAPI, examined what quantitative information was available which would allow a comparison between the period before the introduction of the Codes and a current point in time. Information on the scope and cost of the project has been passed to the Department of Health and Children.

## 07.

## DETAILS OF COMPLAINTS RECEIVED AND ACTION TAKEN

The ASAI dealt with two complaints during the year.

Code provision	Complaints	In breach	Not in breach
Print – Maximum limit of 25% sold advertising space per issue per consumer publication will apply to alcohol advertising	1		1
Outdoor – No mesh building banners for alcohol advertising	1		1
Total	2		2

# 08.

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## OVERALL OUTCOME – SUMMARY AND CONCLUSIONS

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The Monitoring Body concluded that there had been overall compliance in 2010 with the Alcohol Marketing, Communications and Sponsorship Codes of Practice. There were, however, a small number of breaches of the Codes during the year. The Monitoring Body reminded the media partners to the Codes that they should ensure that they have proper procedures in place to prevent breaches occurring. However, we are satisfied generally that, where breaches were identified, immediate action was taken to rectify the situation and prevent a recurrence.

The Codes were due to be reviewed by the Code partners in June 2010 and we therefore made a number of recommendations for consideration as part of the review. At the time of publication of this Annual Report, that review process had not been initiated. The Monitoring Body had been advised by the Department of Health and Children that – after June 2010, and pending the review of the codes – the Codes and the monitoring processes, including the Monitoring Body should remain in place. The Monitoring Body understands that the Department is awaiting the recommendations on alcohol marketing from the Steering Group developing the National Substance Misuse Strategy which is due to report later in 2011.

# APPENDIXES

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## APPENDIX 1: Codes of Practice

### General Principles of the Codes

The purpose of these Codes is to reduce the exposure of young people to alcohol advertising and marketing. The Codes also aim to limit the overall level of alcohol advertising and sponsorship across all media in Ireland.

1. The Codes are subject to review by the partners based on the findings of the AMCMB.
2. For the purposes of these Codes children/young people are defined as those under the age of 18. Adults are therefore defined as those over 18 years of age.
3. The Codes herein are based on the principle of audience profiling across all media and sponsorships whereby alcohol advertising/marketing is not permitted unless the relevant medium has an adult audience profile of 75% or greater.
4. In addition, where alcohol advertising is permissible under audience profiling a weight ceiling will apply across all media and sponsorships whereby alcohol advertising will be limited to no more than 25% of available space on any occasion.
5. The provisions of these Codes apply to all alcohol advertising, purchased in any media, based in the Republic of Ireland, and/or aimed at the Irish market place.
6. All alcohol advertisements must be pre-vetted and carry the Central Copy Clearance Ireland (CCI) stamp of approval before acceptance by any media.
7. All alcohol advertisers, agencies and media owners will co-operate and comply with requests from the Alcohol Marketing Communications Monitoring Body.

### TELEVISION

The Alcohol Beverage Federation of Ireland (ABFI) together with the Drinks Industry Group of Ireland (DIGI), the Association of Advertisers in Ireland, the Institute of Advertising Practitioners in Ireland and all Television Broadcasters based in the Republic of Ireland accepting advertising aimed at the Irish marketplace, undertake to operate a policy as detailed below.

1. Advertising for alcohol will only be booked by an alcoholic drinks advertiser or its agency or placed by the Broadcasters in any programming with an adult audience profile of 75% or greater.
  2. Where alcohol advertising is permissible under audience profiling a maximum of 25% of sold advertising time and only one in four advertisements for alcohol products is permissible across the broadcast day excluding the period from 6 a.m. to 10 a.m. Additionally no more than two advertisements for alcohol products can appear in any commercial break. The full provisions of this clause are specifically intended to apply to the peak viewing periods from 6pm to 11.30pm.
  3. No alcohol advertising will be placed in any programme specifically aimed at children/young people. Each broadcaster will designate such programmes per schedule and supply the list to the Broadcasting Authority of Ireland.
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4. Family 'breakfast' TV time (6am - 10am) will be treated as children's viewing time and will not carry any alcohol advertising.
  5. No alcohol sponsorship of sports programming will be allowed including any sports bulletins.
  6. No solus/whistle breaks advertising spots for alcohol brands will be allowed during sports broadcasting.
  7. Each Broadcaster will produce and provide promptly to the Alcohol Marketing Communications Monitoring Body (AMCMB) a profile of its audience.
    - (i) The profile will be for each channel broadcast.
    - (ii) It will be based on individuals up to eighteen years of age and those over eighteen years of age.
    - (iii) The audience profile of a programme will be evaluated on the average data covering three monthly fixed quarters in arrears. The quarters will be as per the annual calendar i.e. January to end March, April to end June etc.
    - (iv) Data will be available from 10am to 10pm daily. The time segments will be half hourly e.g. 7.00pm to 7.29pm and 7.30pm to 7.59pm. The accepted principle is that the advertising break at the end of the programme is associated with that programme, as are any internal breaks. Notwithstanding the above, advertising breaks going into the programme should also be excluded for alcohol advertising where the audience profile indicates the programme would not have required 75% or greater adult audience.
    - (v) Broadcasters will examine the historic quarterly data on a regular basis. They will also pay special attention, going forward, to programmes where the historic profile may change due to events such as specific story lines, school holidays, mid-term breaks which may result in the programme attracting a younger audience profile for a short period.
    - (vi) When new programmes are introduced to the schedule the profile previously achieved for that time block will be used to ascertain the audience profile. Once the new programme has had four transmissions the profile will be re-examined and subsequently used to decide on the suitability for alcohol advertising.
  8. Every TV Broadcaster regulated in the Republic of Ireland will enforce a Code of Conduct for their presenters ensuring that speech content that glamorises or encourages over-consumption or misuse of alcohol is prevented.
  9. TV Broadcasters will co-operate and comply with other broader elements of the industry agreements including the Copy Clearance process and the AMCMB.
  10. It is the intention of members of DIGI and ABFI to ensure that the principles of this television code are extended, as far as is possible, to the opt-out TV channels, accepting alcohol advertising, aimed specifically at a Republic of Ireland audience.
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## RADIO

The Alcohol Beverage Federation of Ireland, together with the Drinks Industry Group of Ireland, the Association of Advertisers in Ireland, the Institute of Advertising Practitioners in Ireland and all Radio Broadcasters based in the Republic of Ireland accepting advertising aimed at the Irish marketplace, undertake to operate a policy as detailed below.

1. Alcohol advertising will only be allowed during programmes with an adult audience profile of 75% or greater. These programmes will be identified through the Joint National Listenership Research (JNLR) on a station by station basis or other sources agreed with the Alcohol Marketing Communications Monitoring Body (AMCMB).
2. Where alcohol advertising is permissible according to the audience profiling a weighting ceiling will apply whereby alcohol advertising will be limited to no more than 25% and only one in four advertisements for alcohol products across the broadcast day excluding the period from 6 a.m. to 10 a.m. Additionally no more than two advertisements for alcohol products can appear in any commercial break. The full provisions of this clause are specifically intended to apply to the peak listening periods from 10am to 2pm.
3. No alcohol advertising will take place during any programme aimed specifically at young people. Broadcasters will designate young peoples programmes per schedule.
4. Family ' breakfast' radio time ( 6am -10am) will be treated as children's listening time and will not carry any alcohol advertising.
5. No alcohol sponsorship of sports programming will be allowed including any sports bulletins.
6. After the publication of the JNLR, on a twice yearly basis, each station will submit a list of programmes to the Broadcasting Authority of Ireland (BAI) that will not carry alcohol advertising. The BAI will independently validate the list.
7. The BAI will include alcohol advertising on the schedule of criteria that are assessed in the course of its independent random sampling of each stations output.
8. Any breach of the alcohol advertising Code will be immediately notified to the AMCMB and the station involved.
9. A Code of Conduct for presenters whereby speech content that glamorises or encourages over consumption or misuse of alcohol will be enforced by the Independent Broadcasters of Ireland (IBI), RTE and the BAI Radio Stations. Training programmes will be put in place to ensure that their presenters fully comply with the Code and they agree to comply with the appropriate monitoring mechanism.
10. All radio stations based in the Republic of Ireland will co-operate and comply with the other broader elements of the industry agreements including the Copy Clearance process and the AMCMB.

## CINEMA

The Alcohol Beverage Federation of Ireland together with the Drinks Industry Group of Ireland, the Association of Advertisers in Ireland, the Institute of Advertising Practitioners in Ireland and the Cinema Industry based in the Republic of Ireland accepting advertising aimed at the Irish marketplace, undertake to operate a policy as detailed below.

1. The Cinema Industry will not accept alcohol advertising from strength alcohol brands i.e. brands with ABV > 25% or their Ready To Drink variants.
2. Alcohol advertising will only be shown with films targeting an adult audience and where it is deemed that the attendances will have an adult audience profile of 75% or greater.
  - Each film's suitability to exhibit alcohol advertisements is based on comparative film profiles drawn from the Republic of Ireland Film Monitor which is part of the Cinema Audience Industry Research. This is a quarterly monitor with a sample of 1,000 adults and a booster of 200 children nationally weighted within the Republic of Ireland. It is conducted independently by Irish Marketing Surveys Ltd.
  - The results of this research consistently indicate that the certificate of a film does not always indicate the target audience of the film.
3. Where alcohol advertising is permissible under audience profiling, advertising from all alcohol brands should account for no more than 25% of total advertising minutage sold per screening.
4. No alcohol advertisements will be shown outside of the main advertising reel.
5. Every commercial exhibited on Cinema screens must be processed through the Cinema Advertising Association (CAA). The CAA is an independent committee of appointed experts.
6. The CAA strictly abides by the Code of the Advertising Standards Authority for Ireland.
7. The Irish Film Censor's Office advises the Cinema Industry on their judgement of the target audiences of films.
8. The Cinema Industry will co-operate and comply with the other broader elements of the industry agreement including the Copy Clearance process and the Alcohol Marketing Communications Monitoring Body.

## OUTDOOR MEDIA

The Alcohol Beverage Federation of Ireland together with the Drinks Industry Group of Ireland, the Association of Advertisers in Ireland, the Institute of Advertising Practitioners in Ireland and the Outdoor Media Association based in the Republic of Ireland accepting advertising aimed at the Irish marketplace, undertake to operate a policy as detailed below.

1. Notwithstanding the provisions allowable for particular formats listed below, at all times a maximum of 25% of total inventory, by format, will apply to alcohol advertising per cycle per media owner.
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2. The Outdoor Media Association (OMA) will not place advertising for any alcoholic drinks within 100 metres of a primary or secondary school entrance. This restriction will also apply to specifically designated Youth Clubs, Scouting and Girl Guide premises. A list of such locations and venues will be drawn up by the Department of Health and Children and agreed with the Outdoor Media Association.
  3. No bus shelter wrap rounds for alcohol advertising will be allowed. A maximum of one display of alcohol advertising shall be visible at the same time on a bus shelter from any one viewpoint.
  4. No wrap rounds on individual buses. No full side or full rear displays of alcohol advertising allowed to be carried on the exterior of any bus. A maximum of 25% of the aggregate bus exterior panels will carry alcohol advertising, limited to either T-Sides or Supersides on the exterior of a bus. A maximum of one in four bus interior panels will display alcohol advertising.
  5. No train or light rail wrap rounds will be allowed. A maximum of one in three train/light rail exterior panels will display alcohol advertising. A maximum of one in four train/ light rail interior panels will display alcohol advertising. No full side or full rear displays of alcohol advertising are allowed to be carried on the exterior of any train/light rail.
  6. No wrap rounds allowed on taxis. Only one display of alcohol advertising is allowed to be carried on the exterior of any taxi.
  7. Advertising of any alcoholic drink brand in a bus or train station or on the interior of any bus, train or taxi will be within the maximum weighting of 25% of the overall advertising space available.
  8. A maximum of one advertising display on a Prismatic/Scrolling unit will display alcohol advertising.
  9. A maximum of one advertising display in any group of hoardings will display alcohol advertising.
  10. There will be no Mesh Building Banners for alcohol advertising.
  11. No additional large permanent advertisements on buildings, bridges etc. [excluding licensed premises) will be erected.
  12. There will be no alcohol advertising on designated school buses.
  13. The Outdoor Media Association will co-operate and comply with the other broader elements of the industry agreements including the Copy Clearance process and the Alcohol Marketing Communications Monitoring Body.
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## **PRINT MEDIA**

A comprehensive code for the print media has been adopted in relation to alcohol advertising. This Code has been agreed between the Alcohol Beverage Federation of Ireland together with the Drinks Industry Group of Ireland, the Association of Advertisers in Ireland, the Institute of Advertising Practitioners in Ireland, National Newspapers of Ireland, Regional Newspapers and Printers Association of Ireland and the Periodical Publishers Association of Ireland. It will incorporate the following points:

1. Alcohol advertisements will only be carried in consumer publications where the adult readership is 75% or greater. A consumer publication or issue is taken to mean the complete edition published that day to include any supplements or advertising inserts.
2. A maximum limit of 25% of sold advertising space per issue per consumer publication will apply to alcohol advertising. The sold advertising space per issue includes the sold advertising space in any supplement or insert. The tight publication deadlines that can apply to newspapers may leave little time to fully assess the total volume of alcohol advertising contained in a particular publication and to take the necessary remedial action to avoid a breach of the Codes. If the maximum limit on alcohol advertising space is exceeded in any newspaper, then the Alcohol Marketing Communications Monitoring Body (AMCMB) will take into account the volume of alcohol advertising contained in the edition immediately preceding and the edition immediately following that publication. The volume of alcohol advertising in all three editions will be part of the assessment criteria used in deciding compliance with the Codes. Notwithstanding this provision, under no circumstances should alcohol advertising exceed 50% of sold advertising space in any publication.
3. No alcohol advertisements will be placed in any consumer publication or part thereof aimed specifically at young people or 3rd Level Students i.e. campus publications. No alcohol ads will be allowed in parts of consumer publications aimed at young people i.e. comics, teenage magazines.
4. Publications will not make outer wrap rounds available to alcohol advertisements.
5. No alcohol sponsorship of sports pages or sports supplements will be allowed.
6. The Print Media will co-operate and comply with the other broader elements of the industry agreements including the Copy Clearance process and the Alcohol Marketing Communications Monitoring Body.

## **DIGITAL (non-broadcast) MEDIA**

It is proposed to develop a comprehensive code for digital media i.e. online display advertising (including streamed formats), sponsorships, promotions, e-mail marketing, blogs and other forms of user generated content, ipTV, mobile display & text advertising for alcohol advertising. Such a code will be in the context of the rapid evolution of this media and will, therefore, require frequent revision and updates. It is proposed that the codes will be agreed between the Alcohol Beverage Federation of Ireland, the Drinks Industry Group of Ireland, the Association of Advertisers in Ireland, the Institute of Advertising Practitioners in Ireland and internet representative bodies based in the Republic of Ireland accepting advertising aimed

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at the Irish marketplace. In the interim it is the intention of the Alcohol Beverage Federation of Ireland together with the Drinks Industry Group of Ireland to comply, as far as possible, with the provisions outlined below. It will incorporate the following points:

1. Advertising for alcohol should only be booked by an alcoholic drinks advertiser or its agency or placed by the media owner on any website with an adult audience profile of 75% or greater. Where a profile is not available every reasonable effort should be made to ensure that it is not aimed at young people.
2. As a general rule at all times alcohol advertising or promotions shall not exceed a maximum of 25% of total advertising space available by site/format.
3. In the case of sites that offer age targeting filters such as social networking and e-mail sites (e.g. Bebo, MySpace, Facebook, Hotmail, Yahoo, etc) any advertising for alcohol should be age targeted to 18 years old and upwards using those sites' age targeting software.
4. In the case of streamed and ipTV advertising solutions, all copy guidelines that pertain to broadcast media should be adhered to.
5. Where measurement of audience profiling is available these standards will apply, e.g. JNIR, Comscore, The Net Behaviours Report, etc.
6. Where a profile is not available every reasonable effort should be made to establish the profile of the visitors to the site before any alcohol advertising is carried on the site.
7. It is intended that the Digital Media will co-operate and comply with the other broader elements of the industry agreements including the Copy Clearance process and the Alcohol Marketing Communications Monitoring Body.

### **Code of Practice for Sponsorships by Alcohol Drink Companies**

#### **Introduction**

The Alcohol Beverage Federation of Ireland (ABFI) together with the Drinks Industry Group of Ireland (DIGI), and the Irish Advertising Industry represented by the Institute of Advertising Practitioners in Ireland (IAPI) and the Association of Advertisers in Ireland (AAI) have agreed to operate to the policies outlined below relating to alcohol drinks.

In particular they agree to abide by the International Chamber of Commerce (ICC) Code on Sponsorship. The contents of this code should therefore be read in conjunction with the ICC Code. The total implementation of a major sponsorship may encompass the use of a wide range of marketing elements/activities. This code is therefore intended to complement, where relevant, the existing framework of Legislation, Regulations and Co-Regulatory and Voluntary Codes covering the sale and general marketing of alcohol.

#### **1. Definition of a Sponsorship.**

A commercial agreement by which a sponsor, for the mutual benefit of the sponsor and sponsored party, contractually provides financing or other support in order to establish an

association between the sponsor's image, brands or products and a sponsorship property in return for rights to promote this association and/or for the granting of certain agreed direct or indirect benefits.

## 2. Pouring Rights

The purchase of the commercial pouring rights, from a promoter, for an alcohol product for sale at an event, is separate from the sponsorship of the event on many occasions. In these circumstances it is the responsibility of the promoter or bar franchisee to ensure that the terms of the relevant liquor licensing acts are adhered to.

## 3. Selection of a Sponsored Event

- (i) The overall objective is to ensure that all alcohol drinks sponsored events are planned and executed in such a manner as to adhere to the relevant codes, regulations and legislation.
- (ii) The sale of alcohol at many events is controlled by the promoter or sponsored party and it is the responsibility of these parties to put in place adequate controls to ensure adherence to this code.
- (iii) All sponsored events must have an adult audience profile of 75% or greater, both in terms of attendance at the event and broadcast and or viewer/listenership.

## 4. Determination of permissible sports sponsorships

In addition to provisions governing the operation of sponsored events outlined below, additional provisions governing the selection of sporting activities for sponsorship by alcohol brands/companies now apply:

- Alcohol brands companies may not sponsor any sporting competitions, leagues, events or competitors (individual or team) of any form, local or national, where said league, competition, team or events are designated specifically for participants under 18 years of age or where their audience (attending or viewing via broadcast) has a profile of less than 75% of adults .under 18 years of age or where their audience (attending or viewing via broadcast) has a profile of less than 75% of adults .
- The determination of general audience profiles for various sports, leagues, competitions, teams or events of any form shall be by way of an annual national survey of audience interest, attendance/viewing which shall be undertaken by an independent, reputable research agency and reported to the Alcohol Marketing Communications Monitoring Body (AMCMB) and the code partners.

Alcohol Drinks Companies will not sponsor

- Any individuals, teams, bands or acts or concerts featuring such bands or acts which are below the legal drinking age
- Racing/rallying by any mechanically propelled vehicle
- Sports that focus on aggression e.g. boxing or wrestling
- Individuals or bands or acts or concerts featuring such individuals, bands or acts whose target audience profile is 25% or more over the age of 18.

## 5. Venue

- (i) Admission to all events requiring an occasional license will be governed by the terms of the Licensing Acts, 1833 to 2004 and the Registration of Clubs Acts 1904 to 2004. It is the responsibility of the licensees of any licensed premises (whether permanent, temporary, indoor or outdoors) to ensure compliance with the relevant Intoxicating Liquor Acts and licensing regulations.
- (ii) Events should, where possible/practical, be in a defined area with adequate security to control access to the event.
- (iii) Alcohol should be sold responsibly and in accordance with the licensing laws and guidance from the Gardai.
- (iv) In order to prevent rapid or excessive consumption, consideration should be given, at major events, to limiting the amount of alcohol that can be purchased by an individual per occasion.
- (v) At all events soft drinks and minerals must be available for sale at all bars. Water should be freely available at major events e.g. concerts.
- (vi) Where there is an alcohol brand sponsor, the sponsor will insist upon all bar management completing Responsible Serving of Alcohol (RSA) training. In addition all bar servers will be briefed on their Responsible Serving obligations.
- (vii) Prominent and visible responsible drinking promotional activity will take place at major events sponsored by alcohol brands or companies.

## 6. Access

- (i) Sponsor, promoter and sponsored party should work closely with the local authorities/Gardai on all health and safety issues.
- (ii) Where necessary, admission policy to be agreed between the three parties, sponsors, promoter and sponsored party. Once agreed it is the responsibility of the promoter and/or sponsored party to ensure it is adhered to. Identification to be insisted on, where relevant, if there is doubt about the age of any individual seeking admission.
- (iii) The promoter will reserve the right to refuse admission to intoxicated persons without compensation and will publicise same on ticketing.

## 7. Advertising the Event

- (i) All media advertising for the sponsorship to be approved by Central Copy Clearance Ireland (CCCI). All advertising at the event itself should conform to ASAI codes.
  - (ii) Temporary signage, advertising the event, is to be sited responsibly. Temporary advertising in the venue only to be placed in agreement with the promoter/sponsored party. All temporary advertising materials around the venue, posters, directional signs etc. should be removed within three working days, after the event.
  - (iii) Alcohol branded merchandise should not be designed to overtly appeal to those below the legal drinking age. Children's sizes in branded merchandise will not be produced for any sponsorship.
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- (iv) In stadia with a capacity of more than 10,000 people, permanent, branded alcohol-advertising signage should constitute no more than 25% of all the advertising space available at any given time.
- (v) Where there are branded sponsorship events, in these stadia, involving a sole sponsor, their branded alcohol-advertising signage should constitute no more than 25% of all the advertising space available, during the event.
- (vi) When events are held in these stadia which will attract an audience below the recommended audience profile of 75% 18+ or where the featured teams/acts are all below legal drinking age, the responsible sporting body, working with Advertisers and their Agencies, should make every reasonable effort to remove or cover over all branded advertisements for alcoholic drinks for the duration of such events.

#### 8. Promotions at Events

- (i) All promotions at sponsorship events should adhere to the Licensing Acts 1833 to 2004 and the Registration of Clubs Acts 1904 to 2004. They should also adhere to the relevant self-regulatory codes. Complimentary drinks to be confined to designated, controlled access areas.
- (ii) No promotional mechanics, games etc will be allowed at these events designed to encourage excessive consumption.

### **Monitoring the Effectiveness and Compliance of the Codes of Practice on Alcohol Advertising and Sponsorship**

1. Monitoring for compliance and effectiveness of the Codes herein will be overseen by a Monitoring Body appointed by the Minister for Health and Children.
2. The Body will be known as the Alcohol Marketing Communications Monitoring Body (AMCMB).
3. The Body will have an independent Chair and will consist of one representative nominated by the advertising industry, one representative nominated by the alcohol industry, one representative from the Broadcasting Authority of Ireland and two representatives nominated by the Department of Health and Children.
4. The AMCMB will take advice from a Consultative Panel, who will bring the views of a broader constituent of stakeholders to the attention of the AMCMB.
5. The Body will oversee the implementation of, and adherence to all the Codes of Practice defined herein which have been agreed between representatives of the advertising, alcohol and media communications industries and the Department of Health and Children. It will also monitor compliance with the Codes and measure the effectiveness of the provisions of the Codes to reduce the exposure of young people to alcohol advertisements.
6. The purpose of the Codes is to reduce the exposure of children and young people to alcohol advertisements. While the Body will largely decide on its operational methods it will have access to and will review data from a number of bodies including the Advertising Standards Authority of Ireland, Central Copy Clearance Ireland, AC Nielson, Joint National Listenership Research (JNLR), Irish Film Censor Reports (cinema), Joint National Readership Research, Joint National Internet Research etc.
7. The Body will also commission, if necessary, independent research across all media to assess adherence and effectiveness of the provisions of the Codes. This research will be funded by the Department of Health and Children.
8. The Body will produce an Annual Report for the Minister for Health and Children which will be published. Immediately following publication, the Code partners will be required to meet and consider the findings and recommendations contained in the Report and advise what further action, if any, that may be necessary.

## **APPENDIX 2: Members of the Alcohol Marketing Communications Monitoring Body**

### **Chairman**

**Mr Peter Cassells**, Managing Director,  
Peter Cassells Consultants Ltd.

### **Representatives nominated by the Department of Health and Children**

**Mr Robbie Breen**,  
Health Promotion Unit,  
Department of Health and Children

**Ms Olive McGovern**,  
Office of the Minister for Children and Youth Affairs,  
Department of Health and Children

### **Representative nominated by the Broadcasting Authority of Ireland**

**Mr Michael O’Keeffe**, Chief Executive,  
Broadcasting Authority of Ireland

### **Representative nominated by the advertising industry**

**Mr Brian Hayes**, Managing Director,  
Young Euro RSCG Communications Group

### **Representative nominated by the drinks industry**

**Mr Kieran Tobin**, Communications and Corporate Affairs Director,  
Irish Distillers Pernod Ricard



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