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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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**FOURTH ANNUAL REPORT 2009**

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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 Fourth Annual Report (for 2009) 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 Fourth Annual Report shows, there was overall compliance in 2009 by television, radio, cinema, outdoor advertisers and 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.

Arising from questions about the interpretation of certain obligations under the Codes, we drew the attention of media players, in a number of cases, to 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 advertising. This overall obligation should take precedence when doubts arise about the meaning of certain sections of the Codes.

The Codes run for a two-year period up to the end of June 2010. The Monitoring Group is aware that there will be an overall review of the Codes by the parties at that stage. In light of that, we have highlighted in this Report a number of areas where we believe the Codes could be strengthened and/or clarified.

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 provided us with secretarial and executive support, and to the Institute of Advertising Practitioners of Ireland for the research undertaken on our behalf.

*Peter Cassells, Chairman of the Monitoring Body*

# 01.

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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 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.

**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 Broadcasting Authority of Ireland 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 Drinks Industry Group of Ireland (DIGI), Alcohol Beverage Federation of Ireland (ABFI), Association of Advertisers in Ireland (AAI) and the Institute of Advertising Practitioners in Ireland (IAPI). These are set out in full in Appendix I.

**Effective Date**

The new Codes came into effect from 1<sup>st</sup> July, 2008 but flexibility was allowed to take account of pre-bookings of advertising. However, the Codes became fully effective from 1<sup>st</sup> October, 2008. The Codes will run for a two-year period, up to the end of June 2010. A review mechanism has been agreed whereby these Codes will be reviewed following publication of each Annual Report of the Alcohol Marketing Communications Monitoring Body. 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 Broadcasting Authority of Ireland, the Advertising Standards Authority for Ireland (ASAI) and Mature Enjoyment of Alcohol in Society (MEAS).

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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 Central Copy Clearance Ireland (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 Alcohol Marketing Communications Monitoring Body.

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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 peoples 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.
- 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**

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- 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**

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- 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,

- 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 I.

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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 Central Copy Clearance Ireland (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 alcoholic 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 II.

The Monitoring Body actively monitored compliance with the Codes through review of quarterly reports, ongoing review of complaints examined by ASAI, and commissioned research; 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 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 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 to limit the exposure of young people to alcoholic drink advertising. The ASAI submits a report to each meeting of the Monitoring Body detailing the complaint investigations and their outcome. In 2009, five complaints were received under the Codes. Two complaints were outside the remit of the Codes and three were reported to the Monitoring Body. Details are given on page 25.

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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

The Institute of Advertising Practitioners in Ireland (IAPI) 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 for each station all the alcohol advertisements that had run during the following periods nominated by the Monitoring Body:

Week commencing: 17th March 2009 / 27th June 2009 / 20th July 2009

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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 cycles of two weeks each.

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 no more than 25% of sold advertising time and no more than one in four advertisements related to alcohol.

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

#### **Cinema**

In relation to cinema, the Monitoring Body has developed an appropriate research methodology to check compliance with the Cinema Code requirements. A predetermined number of films in a number of urban centres were checked during 2009. Those films in which alcohol advertisements are not permitted (proscribed films) were checked to ensure that they carried no alcohol advertisements. Those that are permitted to carry alcohol advertisements (non-proscribed films) were checked to ensure that they did not exceed the agreed limits.

#### **Outdoor**

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

Cycle 6, 2009, 9th – 22nd March  
Cycle 17, 2009, 10th – 23rd August

# 04.

## 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 Nielson Media Research (NMR)<sup>6</sup>.

- October – December 2008
- January – March 2009
- April – June 2009
- July – September 2009

**Commissioned research:** As explained earlier on pages 13-14, comparisons were made with the profile information submitted by the television stations to check whether they were abiding by the Code.

#### Radio Telefís Éireann (RTÉ)

As in the previous year, the Monitoring Body noted that, although it would be permitted under the profile results for under-18 viewership, alcohol advertising was not carried during the Saturday early evening movie, as that time slot was allocated to 'family movie' programming.

**Outcome of commissioned research:** No breaches.

#### TV3:

**Outcome of commissioned research:** No breaches.

#### TG4:

**Outcome of commissioned research:** No breaches.

On 27th June 2009, an alcohol advertisement was placed in a half-hour period which had an under-18s quarterly profile of 28%. TG4 were asked for an explanation for the apparent breach.

TG4 said that there had been a change from the normal scheduling to a fortnight of live

6. Nielson Media Research provides audience measurement ratings for television stations.

sport, namely Wimbledon Beo. They explained that the average under-18s profile for the particular time slot in the previous year's coverage was 8.1%.

The Monitoring Body accepted that a breach had not occurred.

### **Setanta Ireland**

**Outcome of commissioned research:** One breach.

On 20th July 2009, an alcohol advertisement was placed in half-hour period which had an under-18s quarterly profile of 29.6%. Setanta Ireland were asked for an explanation for the apparent breach.

Setanta Ireland explained that the advertisement had been originally scheduled to air at 15.48 but had in fact aired at 16.06. As this situation had occurred some time before they were requested for an explanation, they were unable to state with certainty why the error had occurred but assumed that it had happened because the programme (the Open Championship) had run over time and therefore the advertisement break had moved into the next half-hour slot.

The Monitoring Body noted the comments but considered that a breach had occurred.

### **City Channel**

City Channel was not able to submit quarterly profiles as it is not profiled by NMR, who do not have a function in place which encompasses local or regional television channels.

City Channel, however, confirmed their compliance with the requirements of the Code. They explained that, in general, they only permit alcohol advertising in their evening schedule. They had little programming aimed specifically at an under-18 audience; in Spring 2009 there was only one such programme.

### **Opt-Out Channels**

The revised Codes include a commitment by the members of the Drinks Industry Group of Ireland (DIGI) and the Alcohol Beverages Federation of Ireland (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 has already engaged with the Monitoring Body in this regard. The Monitoring Body is aware that approaches have been made to the other relevant TV channels and awaits the outcome of those discussions.

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## **Radio**

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Monitoring was carried out on a rolling basis with a selection of radio stations requested each quarter to provide their advertising logs for selected dates. Following discussions during the year about the most effective way to monitor compliance with the Code by Radio stations,

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the Monitoring Body, together with the Broadcasting Authority of Ireland (BAI) and the Independent Broadcasters of Ireland (IBI), agreed a process. The IBI will, as before, compile a list of programmes which have a youth audience and should not carry alcohol advertising and the Monitoring Body will request the information regarding advertising logs etc from the stations. Once checked, this material will be sent to the BAI to carry out an independent assessment.

In addition, the BAI will continue to include alcohol advertising on its check list for content monitoring of its licensed services. The BAI did not report any breaches of the Codes during 2009.

The stations which were asked to submit information to the Monitoring Body are listed in Appendix III. They included members of the Independent Broadcasters of Ireland and RTÉ stations.

Under the new monitoring procedure, radio stations were asked to provide their radio logs for 3rd and 6th December. The results of this monitoring will be reported on in the 2010 Annual Report.

### **RTÉ Radio**

The Code to limit the exposure of young people to alcoholic drink advertising on radio requires that no alcohol advertising will be placed in programmes where more than 25% of the listeners are young people. In relation to RTÉ Radio 1, the Monitoring Body was aware that its audience profile did not bring its programming within the scope of the Codes.

They were informed during the year that RTÉ 2fm had, as their audience profile had moved to an older age bracket, decided to change their policy of not accepting alcohol advertising. The Monitoring Body examined information from RTÉ on the profile of 2fm's audience. They noted that their audience profile was predominantly adult, with only one programme with an adult audience of 79%, the remainder having an adult audience of 85% or greater.

### **Code Interpretation**

During the year, radio stations were asked to forward copies of certain advertising logs in order that compliance with the Code could be assessed. There were no instances where the Code was breached as a result of the airing of an alcohol brand advertisement.

There were, however, occurrences where non-alcohol brand advertising was placed in Family 'breakfast' time such as alcohol sponsored events, advertising for representative associations of publicans and retail (e.g. supermarket) advertising containing references to alcohol. It was not clear whether the Code had been breached. The Radio Code requires that "Family 'breakfast' time (6am – 10am) will be treated as children's listening time and will not carry any alcohol advertising" (paragraph 4). The Monitoring Body considered that the primary aim of the Code was to reduce the exposure of young people to alcohol marketing and promotion. They did not therefore consider that such advertising should be placed in this time period. The relevant Code partners have been informed of this decision (This matter was finalised early in 2010.)

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## Cinema

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The two cinema contractors in Ireland, Carlton Screen Advertising and Pearl & Dean, submitted information to the Monitoring Body as follows for a number of dates during the year:

- a. the advertising reels of proscribed<sup>7</sup> films screened during the quarter;
- b. the advertising reels for all other films screened (so that those reels that carried alcohol advertising could be assessed).

In addition, Carlton Screen Advertising provided:

- 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 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 is as follows:

- 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.).
- Comparable Film** • IMDb is checked for a film that is similar, i.e. one that is, a) a film of a similar genre, b) a film with a similar storyline, and c) a film with a similar certificate (if confirmed certificate on new release is available). 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.

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

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

**Republic of Ireland Film Monitor** • Carlton Screen Advertising explained that 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 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. For example, “Burn After Reading” had an 18+ audience of 60%. (This film was written and directed by Ethan and Joel Coen). The Monitoring Body asked for comments on the choice of comparative film, in this case “O Brother, Where Art Thou?”, as they wanted to ensure that the appropriate choices were being made for comparative films.

Carlton Screen Advertising explained that, in looking at the three Coen brother movies, which were all from different genres, they found that the Irish 18+ profile has remained consistently over 75%. The drama, “The Man Who Wasn’t There” was 89% 18+, the period comedy adventure, “O Brother, Where Art Thou?” was 84% 18+ and the dramatic thriller, “No Country for Old Men” was 86% 18+.

They said that they also looked at the UK 18+ profile of the same titles and found that they had also remained consistently over 75%. “The Man Who Wasn’t There” was 100% 18+, “O Brother, Where Art Thou?” was 90% 18+ and “No Country for Old Men” was 95% 18+.

All three movies were used as a guide when deciding that “Burn After Reading” (a crime comedy drama) would be suitable for alcohol advertising. They selected “O Brother Where Art Thou?” as the main comparative title in order to take into account the audience which the comedy-based genre would attract.

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**

BBN Media carried out two surveys on behalf of the Monitoring Body.

The first survey was carried out in July 2009. Sixteen films were monitored, nine of which

were proscribed films – that is, alcohol advertising was not permitted in their advertising reels. In compliance with the Code, none of these advertising reels carried alcohol advertising. In addition, the remaining films, which could have carried alcohol advertising, did not.

The second survey was carried out in December 2009.

Eighteen films were monitored, seven of which were proscribed. One proscribed film did, in fact, carry an advertisement for alcohol and the Monitoring Body have sought an explanation for this breach of the Code.

Of the remaining eleven films, seven carried alcohol advertisements in their advertising reel. There was no breach of the 25% threshold rule.

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## Outdoor

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The Monitoring Body received information from the following contractors:

- Adspec
- CBS Outdoor\*
- Clearchannel\*
- JC Decaux\*
- National Outdoor Limited
- Premium Poster Panels
- Sportsground Advertising
- Titan Ireland (now Bravo)\*

\* Members of the Outdoor Media Association.

The Monitoring Body was disappointed that Regan Poster Sites did not respond to numerous requests for information.

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 26, 2008
- Cycle 4, 2009
- Cycle 8, 2009
- Cycle 17, 2009

### JC Decaux One Breach

In Cycle 26, 2008, JC Decaux breached the 25% threshold. They explained that an advertisement from a previous Cycle had not been replaced. It was a run-on and the booking system did not flag it as an alcohol advertisement and therefore the breach

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occurred. They stated that they have put in place a system whereby any site carrying an alcohol advertisement for which there is no replacement booking, will have the alcohol advertisement removed and the site will be left blank.

The Monitoring Body noted that a breach had occurred and the steps taken to prevent a similar occurrence in future.

A number of issues arose in relation to the presentation of information submitted to the Monitoring Body. In one case, it appeared that a breach of the 25% threshold may have occurred. The contractor involved, Clearchannel, had reported on the advertisements booked in the period as opposed to the total number of panels available.<sup>8</sup> The actual number of alcohol advertisements was 15% of the total and so no breach had occurred.

This situation serves to emphasise the importance of submitting the correct information to the Monitoring Body.

Another issue which arose was in relation to the identification of all advertisements carried in a period. Some contractors felt that to identify all advertisers, as opposed to alcohol advertisers, they would be in breach of client confidentiality. While the Monitoring Body would prefer to have complete lists provided – and has accepted that the detail of such information would be held in confidence – they accepted that, as a minimum, a complete list of sites should be given with the product category being indicated for non-alcohol advertising.

### **Commissioned Research**

Poster Audit Bureau (part of the PML Group) provided reports for Cycle 6, 2009 and Cycle 17, 2009

While there were no breaches reported in Cycle 6, 2009, a number were reported in Cycle 17, 2009.

Two sites which were within 100m of a school entrance had alcohol advertising. The contractor involved was Clearchannel. Their comments were sought. Clearchannel said that, in relation to the site on Rossa Avenue, they had been informed that the entrance was not used by children but by the school grounds staff. However, it now appeared that the entrance was occasionally used by children and they have prohibited the site.

In relation to the second breach, Clearchannel said there had been a measurement error and they have now prohibited the site.

There were also a number of incidences where the amount of alcohol advertising at five train/DART stations exceeded the 25% threshold. The Monitoring Body noted that the incidences identified as breaches had occurred before the Monitoring Body had amended its interpretation of the Code; these were therefore not recorded as a breach.

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<sup>8</sup> Example: A contractor has 200 panels and 100 carry booked advertising of which 30 are alcohol advertisements. If the report is based on the 100 panels, it would appear that there is a breach of the Code. However, as the Code rule relates to total inventory, there would be no breach of the Code; the 30 advertisements would represent 15% of the total inventory of 200 panels.

### General

An issue which was brought to the attention of the Monitoring Body concerned a Guinness mural which was painted on the gable end of a public house in Carrigtowhill in Co. Cork. The public house was within 100 metres of a school entrance. As it was painted directly onto the premises in question, there was no outdoor contractor involved in the matter. The Monitoring body engaged with Diageo Ireland, the brand owner of Guinness.

Diageo Ireland said that having checked with the relevant sales representative, the mural had been in place for at least a decade and that Guinness had no arrangement with the outlet in respect of it. They said that they did not consider it paid-for advertising in the sense that the Placement Codes intended.

They did however, in the interests of finding a solution, agree to raise the matter with the publican and to outline to him the nature of the concerns. Diageo Ireland reported back to the Monitoring Body that they had raised the matter with the publican who had declined to remove the mural on the grounds that he had received no complaints about it locally. Given the time that has elapsed since the mural was painted, Diageo Ireland said that it would be difficult to prove that they had not given permission for the use of the Guinness name and therefore their advice was they would have no grounds to ask for it to be removed. They confirmed that there was no type of payment arrangement in place for its continuance.

The Monitoring Body noted the comments from Diageo Ireland.

The OMA sought clarification from the Department of Health and Children on Point 4 of the Outdoor Code which limits exterior bus panels for alcohol to T-Sides. They had understood that following discussions, it had been agreed alcohol advertisements could be placed on either T-sides or Supersides and that the Code would be amended accordingly. The Department of Health and Children confirmed that its understanding was that this had been agreed as set out below.

“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.”

A query arose in relation to the interpretation of Rule 7 of the Outdoor Code which states, “Advertising of any alcohol drink brand in a bus or train station or the interior of any bus, train or taxi will be within the maximum weighting of 25% of the overall advertising space available.” It was felt that it could be interpreted in a number of ways. The Monitoring Body discussed the matter on a number of occasions and decided that the primary consideration was that of 25% of the space available within the station.

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## Print / Digital

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The Monitoring Body contacted Magazines Ireland and its members, the National Newspapers of Ireland (NNI) and its members and the Regional Newspapers and Printers Association of Ireland (RNAPI) and its members. Non-member publications were also contacted. A list of publications contacted is given in Appendix III.

Following a request from the Monitoring Body, the publications were asked to confirm in writing their compliance with the requirements of the Code. Not all publications had responded at the time this report was being prepared; the matter is being followed up.

### Code Clarification

The issue of the wrap rounds in publications was discussed. The Monitoring Body clarified that the prohibition relates to the main publication and to any supplements contained within it, for example, a weekend magazine.

### Magazines

Magazine publishers confirmed their compliance with the provisions of the Code during the year. While information was not provided in relation to any particular period, the Monitoring Body is aware from the general information received that there was a very low level of alcohol advertising in magazines. Nevertheless, it is planned in 2010 to carry out more detailed monitoring which will be reported on in the next Annual Report.

### National Newspapers

The Monitoring Body sought detailed information for a number of periods during 2009 from the national and Sunday newspapers. The information requested for each week chosen was the total advertising space sold by day and the total alcohol advertising space sold by day (including inserts and retail ads). In addition, for one specified date in each week, a list of all advertising and a list of all alcohol advertising (or a combined list provided alcohol advertising was clearly indicated).

The Monitoring Body was concerned that some members of the NNI were not providing information in as timely a fashion as they should. The Chairman wrote to the NNI setting out the concerns and requesting that they ensure that their members were aware of full compliance with the Code.

The NNI assured the Monitoring Body of its members' awareness of the importance of full compliance with the Code. They also stated that the NNI was fully committed to the concept of self-regulation and to working with the Monitoring Body to achieve its aims.

The Monitoring Body is now satisfied generally with the level of commitment to the process by the NNI members. They were, however, concerned at the length of time it took for the Independent Newspapers Group to provide information; while information had been provided, it was not in the correct format. Furthermore, it was only in February 2010 and

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later that it was finally provided in a suitable format. It will be reported on in the next Annual Report.

**Daily Newspapers:** Information was sought for the following dates.

<b>Week Commencing</b>	<b>Specified Date</b>
15 December 2008	17th December 2008
9th March 2009	12th March 2009
20th April 2009	24th April 2009
24th August 2009	27th August 2009

**Sunday Newspapers:** Information was sought for the following dates.

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14th December 2008  
8th March 2009  
19th April 2009  
23rd August 2009

**Regional Newspapers**

Contact was also made with regional newspapers and confirmation of their compliance with the Code was sought. From the information received to date it would appear that regional newspapers do not carry significant amounts of alcohol advertising. However, retail advertising would, in some cases, feature alcohol products. The Monitoring Body will be carrying out a number of exercises in 2010 and will report on this in the next Report.

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**Sponsorship**

The Monitoring body 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.

The Monitoring Body is examining how best to monitor compliance with the requirements of the Codes. It has, through the auspices of IAPI, engaged with ABFI seeking information on the sponsorships which will be carried out in 2010 and will report on this in the next Annual Report.

# 05.

## DETAILS OF COMPLAINTS RECEIVED AND ACTION TAKEN

The ASAI dealt with five complaints during 2009 concerning possible breaches of the Codes. One complaint, which related to a sign outside a licensed premises, was not within remit of the Outdoor Code. Another complainant queried whether the general level of alcohol advertising in outdoor was compliant with the Code. The ASAI was able to advise him that based on reviews conducted by the Alcohol Marketing Communications Monitoring Body in the period January to June 2009, there was no evidence of breaches of the 25% rule.

Three other complaints concerning cinema and radio were investigated and reported to the Monitoring Body.

Code Provision	Complaint	In Breach	Not In Breach
Cinema – alcohol advertising in reel which had been designated not appropriate for alcohol advertising	2	2	
Radio – no alcohol advertising in programmes aimed specifically at young people*	1		1
	3	2	1

*\*the actual 18+ audience was 98%.*

# 06.

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## OVERALL OUTCOME – SUMMARY AND CONCLUSIONS

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The Monitoring Body concluded that there had been overall compliance in 2009 with the Alcohol Marketing, Communications and Sponsorship Codes of Practice. There were, however, a number of breaches of the Codes during the year. The Monitoring Body considered that the media partners to the Codes should ensure that they have proper procedures in place to prevent breaches occurring. We are, however, satisfied generally that, where breaches were identified, immediate action was taken to rectify the situation and prevent a recurrence.

The Monitoring Body is aware that there will be a review of the Codes in June 2010. In light of that, the Body wishes to highlight a number of areas where it believes the Codes could be strengthened and/or clarified.

### **Wrap rounds:**

The issue of wrap rounds on outdoor media arose during the year. The Codes specifically prohibit wrap rounds in print publications, on buses, trains and taxis. However, other media, such as other forms of transport, are not covered by the prohibition. This matter was brought to the attention of the Monitoring Body by the ASAI following an investigation in early 2010. The ASAI suggested that the Codes should include a requirement in the general provisions prohibiting wrap rounds in any media. The Monitoring Body agrees with this suggestion and recommends it to the Code partners.

### **Definition of Alcohol advertising:**

A number of discussions were held during the year concerning what constituted 'alcohol' advertising for the purposes of the Radio Code, in particular in relation to 'family breakfast time'. The Code provides that 'family breakfast time' will be treated as children's listening time and will not carry any alcohol advertising. An issue arose in relation to whether advertising for events which were sponsored by alcohol companies were, for the purposes of the Code, alcohol advertising. The Monitoring Body considered that such advertising could be considered to be alcohol advertising and should not therefore be aired during this time. This view could have implications for the advertising of such events in other media. The Monitoring Body suggests that this matter should be considered by the Code partners.

In addition, the Monitoring Body suggests that consideration be given to what if any additional categories of advertising should be classified as alcohol advertising for the purposes of the Codes, for example, advertising for retail organisations which refer to alcohol products and advertising for representative organisations of licensed premises.

**Television**

An issue has arisen as to the most appropriate measure for monitoring Code compliance of programming on sports channels. The general method uses as its base measurement the quarterly profile of the time period. It has been suggested that it would be more appropriate to base profiling for sports programming on the type of programme it is, rather than on the time period in which it is placed. In this way should a sports event change time, the appropriate profile would move with it.

The Monitoring Body examined the proposal. There are, however, considerations relating to how this would be monitored. They consider that this matter is more appropriate for decision by the Code partners.

# APPENDIXES

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## APPENDIX I: 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/
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young people. Each broadcaster will designate such programmes per schedule and supply the list to the Broadcasting Authority of Ireland.

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 it's 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.

## 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.

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.

### 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 and 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 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 .

- 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 Licencing 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.
- (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 II: Members of the Alcohol Marketing Communications Monitoring Body**

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

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

**Mr Robbie Breen**,<sup>9</sup>  
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

**Mr Brian Mullen**, Principal Officer,<sup>10</sup>  
Health Promotion Unit,  
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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9. Mr Breen attended his first meeting on 10th May 2010

10. Member to November 2009

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

### **1) List of Print Media Companies**

#### **Magazines**

##### **Automotive Publications**

Bayview Publishing  
Business and Finance

##### **Business Plus**

Cara

##### **Dyflin Publications**

Golden Egg Productions Ltd

Harmonia

Hot Press

##### **Image Publications**

Irish Brides and Homes

Irish Vintage Scene

Ladies Golf Times

Love & Marriage

Maxmedia Communications Ltd

MOHH Publishing

**Nova Publishing**

**RTÉ Publishing**

**SelfBuild Ireland**

Sky the Magazine

**Social & Personal**

**Temple Media**

**The Gloss**

VIP

Walton Media

**WMB**

**Zahra Publishing Ltd**

#### **Press – National and Sunday**

Evening Herald

Irish Daily Mail

Irish Examiner, The

Irish Farmers Journal

Irish Independent

Irish Mail on Sunday

Irish Mirror

Irish News of the World

Irish People

Irish Sun

Irish Sunday Mirror

Irish Times, The

Star, The

Sunday Business Post

Sunday Independent

Sunday Times, The

Sunday Tribune

Sunday World

### Press - Regional publications

Anglo Celt, The  
Athlone Topic  
Athlone Voice  
**Avondhu, The**  
**Bandon Opinion**  
Carrigdhoun, The  
Cavan Post  
Clare Champion, The  
**Clare People**  
**Connacht Sentinel**  
**Connacht Tribune and City Tribune**  
Connaught Telegraph  
Corkman, The  
**Derry People / Donegal News**  
**Donegal Democrat**  
Donegal Post  
**Drogheda Independent**  
**Dundalk Argus**  
**Dundalk Democrat**  
**Dungarvan Leader**  
Dungarvan Observer  
**East Cork Journal**  
Echo Group  
Echo, The (Dublin)  
**Fingal Independent**  
Finn Valley Post  
Galway Advertiser  
**Independent Free Newspaper Group**  
**Inish Times**  
**Kerryman, The**  
**Kerry's Eye**  
**Kilkenny People**  
Kingdom, The  
**Leinster / Offaly Express**  
**Leinster Leader**  
Leitrim Observer  
Leitrim Post  
Liffey Champion  
**Limerick Leader**  
**Longford Leader**  
Longford News  
Mayo News, The  
**Meath Chronicle**  
Meath Post  
**Midland Tribune**  
Munster Express  
**Nationalist & Leinster Times**  
**Nationalist & Munster Advertiser, The**  
Nenagh Guardian, The  
**New Ross Standard**  
Northern Standard, The  
**Offaly Independent**  
**People Newspaper Group**  
Roscommon Champion  
Roscommon Herald  
**Sligo Champion**  
**Sligo Weekender**  
Southern Star, The  
Topic Newspapers  
**Tipperary Star**  
**Tuam Herald, The**  
**Waterford News & Star**  
Waterford Today  
Wicklow News  
Weekender, The  
**Western People**  
**Westmeath Examiner**  
**Westmeath Independent**  
**Wexford Echo Newspapers**  
Wicklow News  
**Wicklow People**

*Note: publications highlighted in bold text have corresponded with the Monitoring Body.*

## 2. Radio Stations

The following radio stations provided information to the Monitoring Body

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 98	Q102
Dublin's Country Mix 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 and West)	Shannonside 104FM
i105-107 (North East and Midlands)	South East Radio
KCLR 96FM	Spin 1038
Kfm	Tipp FM
Limerick's Live 95FM	Today FM
LM FM	WLR FM
Mid West Radio	



