

# Harmful advertising and promotions of alcoholic products

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 **Alcohol  
Change  
Vic** 

Victorians for  
policy reform



# Harmful advertising and promotions of alcoholic products

Alcohol Change Vic is a collaboration of health and allied agencies that share concerns about the harmful impacts of the alcohol industry and its products in Victoria. Alcohol Change Vic campaigns for policy change to protect the community from the harm the alcohol industry causes, and to provide balance to the industry's aggressive marketing and normalisation of alcoholic products.

The members of Alcohol Change Vic are:

- + Australasian College for Emergency Medicine
- + Alcohol and Drug Foundation
- + Cancer Council Victoria
- + Centre for Alcohol Policy Research (CAPR), La Trobe University
- + Foundation for Alcohol Research and Education (FARE)
- + Public Health Association of Australia (Victoria)
- + Royal Australasian College of Surgeons
- + St Vincent's Health Australia
- + The Salvation Army
- + Turning Point
- + Victorian Alcohol and Drug Association
- + Violence Prevention Group, School of Psychology, Deakin University
- + Uniting Church in Australia, Synod of Victoria and Tasmania

## Summary

- Children and other vulnerable people in our community should have the opportunity to lead healthy lives and should be protected from harmful alcohol advertising, but the alcohol industry bombards Victorians with relentless alcohol advertising.
- Alcohol advertising makes children start drinking earlier, and drink more heavily and frequently.
- Children and young people constantly see alcohol advertising on their journeys to and from school, in their daily activities and at sporting events.
- Victorian alcohol retailers target vulnerable people in the community with promotions that focus on price discounts or create incentives to purchase larger volumes of alcohol. They appeal to young people and risky drinkers, encouraging them to buy excessive quantities of cheap alcohol and leading them to drink heavily.
- There is little risk of sanction for Victorian alcohol retailers that advertise irresponsibly.
- The community want to see the Victorian Government do more to protect children, young people and other vulnerable people from advertising by the alcohol industry.

## Summary of recommendations

The Victorian Government should:

- Prevent alcohol retailers from irresponsibly advertising alcoholic products, including through excessive price discounts (50 per cent or more), and promotions that create incentives for people to buy increased quantities of alcoholic products.
- Prevent promotion of 'buy now, pay later' or 'Afterpay' services to buy alcoholic products online.
- Prevent advertising of inducements to buy alcoholic products. Inducements should include offers of vouchers, credits, product give-aways, or discounts that are conditional on purchasing alcohol or a minimum spend or quantity of alcohol.
- Prevent outdoor alcohol advertising on buses and bus stations and other public transport infrastructure, at sporting grounds and facilities used by children, and within a wider (500 metre) radius of schools.

## Background

### **Alcohol advertising compromises the health and safety of our communities**

It's never been more important to support individuals, families and their communities to be healthy and safe. However, during the COVID-19 outbreak the alcohol industry has rapidly pivoted its marketing strategies to exploit the pandemic and push alcohol use at home on vulnerable people in isolation.

Big alcohol retailers have been relentlessly promoting rapid delivery services and daily drinking at home on social media, and bombarding people with targeted social media advertisements. A recent study of alcohol marketing in Australia during the COVID-19 outbreak found that sponsored alcohol marketing posts appeared on Facebook and Instagram feeds every 35 seconds, promoting easy access to alcohol without leaving the home, as well as buying more alcohol, and using alcohol at home to cope, survive or feel better.<sup>i</sup>

We know that alcohol use, especially heavy drinking, makes people more vulnerable to COVID-19. This is because alcohol weakens people's immune systems and increases their risk of respiratory failure, one of the most serious COVID-19 complications.<sup>ii</sup>

Alcohol use also worsens negative impacts of social isolation, and financial and social stresses associated with COVID-19, by exacerbating mental health problems such as anxiety and depression, and fuelling family violence, abuse and neglect in Victorian homes.<sup>iii,iv,v</sup>

And increases in alcohol use during the pandemic may lead to more people developing long-term drinking habits and alcohol dependence, and long-term health impacts such as heart disease, liver disease and cancer.

Alcohol use is known to cause at least seven types of cancer: breast, bowel, mouth, pharynx, larynx, oesophagus, and liver cancer.<sup>vi</sup> Alcohol causes more than 3,200 people to get cancer,<sup>vii</sup> and more than 2,000 people to die from cancer,<sup>viii</sup> in Australia each year.

Each year under normal conditions, alcoholic products kill nearly 6,000 Australians and more than 1,300 Victorians from disease,<sup>ix</sup> and are responsible for more than 39,000 hospitalisations in Victoria.<sup>x</sup>

### **The alcohol industry targets young people and heavy drinkers**

Big alcohol companies know that alcoholic products cause cancer and other health problems, yet they promote and glamorise their products in Victoria and target young people and heavy drinkers. Alcohol companies advertise their products relentlessly through outdoor advertising on streets, public transport and sports stadiums, social media, television, newspapers, radio, sports sponsorship and point-of-sale advertising. The alcohol industry is among the top ten spenders on outdoor advertising in Australia – well above the gambling industry, which ranked 19 in 2015.<sup>xi</sup> Children and adolescents are exposed to huge volumes of this advertising.<sup>xii</sup>

Alcohol retailers promote extreme price discounts of alcoholic products, often resulting in alcohol sold at prices lower than soft drink and water. They use promotional offers, such as multi-buy, bulk purchase discounts or minimum spend discounts, to incentivise the sale of large volumes of alcohol and encourage people to buy more than they had set out to. These promotions encourage people to drink large volumes of alcoholic products and appeal to children, young people and heavy drinkers. We know that the cheaper alcoholic products are, the more people drink, and the more they suffer harm.<sup>xiii</sup>

Online alcohol retailers including rapid delivery retailers also encourage people to use 'buy now, pay later' services to buy alcohol online. This encourages people to buy alcohol impulsively and removes cost barriers that might otherwise prevent people buying large quantities of alcohol. Online alcohol retailers also target people through direct electronic advertising, including through direct prompts via smart phone apps, and offer inducements such as time-limited discount codes that are likely to encourage impulsive purchases of alcohol.

Big alcohol retailers owned by Coles and Woolworths also often target customers with 'shopper docket' promotions, which advertise discounted alcoholic products on supermarket receipts for purchases of general supermarket items.<sup>xiv</sup> These promotions reach supermarket shoppers, including children, who have not set out to buy alcohol, and direct them to discounted alcohol in Coles- or Woolworths-owned bottle shops.

The New South Wales (NSW) Office for Liquor Gaming and Racing conducted a six-month investigation into shopper docket promotions, concluding that they were “likely to encourage the misuse and abuse of liquor”, and recommending to the Director General of the NSW Department of Trade and Investment that they be banned.<sup>xv</sup>

### **Alcohol advertising harms Victorian children**

We all want our children to be healthy and safe, but too many children still use alcohol. A 2017 survey reported that nearly half (46 per cent) of Australian children aged 12-17 years had used alcohol in the past year, 27 per cent of children had used alcohol in the past month and 15 per cent had used alcohol in the past week. Forty-one per cent of 12-17-year-old children had drunk five or more drinks on one day in the past year, and 23 per cent of children had drunk this amount of alcohol on one day in the past month.<sup>xvi</sup> Alcohol use at this level is considered risky even for adults.

Use of alcoholic products is extremely dangerous for children. Alcohol use interferes with children’s brain development, causes accidental deaths and fuels risk-taking behaviour.<sup>xvii</sup>

Children are also highly vulnerable to alcohol advertising. We know that the more alcohol advertising children are exposed to, the younger the age they start using alcohol, and the more often and more heavily they drink.<sup>xviii</sup> This may lead to children establishing risky drinking habits and suffering from health problems later in life.

A Cancer Council Victoria study found that the more children aged 12-17 years saw alcohol advertising on billboards, or in newspapers or magazines, the more likely they were to use alcohol regularly and at risky levels.<sup>xix</sup>

## **Victorian policy environment**

### **Outdoor advertising of alcoholic products**

The Victorian Government introduced legislation in 2018 to prevent outdoor alcohol advertising within 150 metres of Victorian schools (except advertising on the exterior of licensed premises and alcohol businesses, sports grounds and racecourses within this distance). The Government also included clauses in its contracts with private operators of trains and trams to prevent alcohol advertising on tram, trains, and tram and train infrastructure (e.g. shelters and platforms).

These were welcome and significant steps forward to protect Victorian children from outdoor alcohol advertising near schools and when travelling on trams and trains. However, children are still exposed to large amounts of alcohol advertising on their journeys to and from school and in their daily activities, including on the street (further than 150 metres from schools), on buses and bus stations, and at sports grounds and facilities. Data from the Victorian Walk to School program indicate Victorian school children walk an average distance of 700 metres to school. Other research suggests Victorian children travel median distances of further than 1km to school in urban areas, and further than 2km in rural areas.<sup>xx</sup>

### **Harmful alcohol promotions**

Under section 115A of the *Liquor Control Reform Act 1998* (Vic) (Liquor Act), the Victorian Commission for Gambling and Liquor Regulation (VCGLR) has the power to ban irresponsible alcohol promotions or advertising by a liquor licensee.<sup>xxi</sup> The VCGLR has published guidelines that set out 16 principles for the responsible advertising and promotion of alcohol.<sup>xxii</sup>

However, the Liquor Act and the VCGLR’s guidelines do not prevent many harmful alcohol promotions in Victoria. The guidelines focus on on-premises promotions in pubs, bars and clubs, and do not adequately address promotions by alcohol retailers, online or discount promotions. In addition, the Liquor Act does not impose a direct obligation on licensees to ensure that advertising and promotions are responsible. This means that a licensee can advertise irresponsibly without breaching the Liquor Act, unless and until the VCGLR issues a section 115A banning notice. If the VCGLR becomes aware of promotions that breach the guidelines, its guidelines state that it will first request that the promotion be withdrawn before issuing a formal section 115A banning notice.<sup>xxiii</sup> This means that licensees can engage in irresponsible promotions without risk of sanction, unless the licensee first refuses the VCGLR’s request to withdraw a promotion and then refuses to comply with a banning notice issued by the VCGLR.

## The community wants the Victorian Government to take action to protect children and young people

The community wants the Victorian Government to do more to protect children and young people from alcohol advertising. Most Victorians want alcohol advertisements to be restricted so they are less likely to be seen by children.<sup>xxiv</sup> The Victorian Government should also take action to protect young and other vulnerable people from harmful and irresponsible alcohol advertising and promotions.

## Recommendations

Alcohol Change Vic is calling for the Victorian Government to prevent outdoor alcohol advertising that is likely to be seen by Victorian children on their journeys to and from schools and during other activities. This should include alcohol advertising on buses and bus stations and all other public transport infrastructure, at sports grounds and facilities used by children, and within a wider (500 metre) radius of schools. This could be achieved through legislation or under government contracts governing publicly owned or controlled assets and land.

Alcohol Change Vic is also calling for the Victorian Government to introduce new standards for alcohol promotions by Victorian packaged alcohol retailers in the Liquor Act. The Liquor Act should be amended to directly prevent harmful or risky promotions by Victorian alcohol retailers. The Liquor Act should set out a list of examples of harmful or risky promotions, including the following:

1. Promotions that provide incentives or encourage people to buy excessive quantities of alcoholic products. This should include preventing the discounting (including bulk or multi-purchase discounting) of alcoholic products by 50 per cent or more (as is the case with on-premises discounting in the Australian Capital Territory).<sup>xxv</sup>
2. Promotion of 'buy now, pay later' or 'Afterpay' services to buy alcoholic products.
3. Promotion of inducements to buy alcoholic products. An inducement should be defined as an offer or benefit conditional upon the purchase of alcohol, such as a voucher, product give away or discount code. This should include promotions that require the purchase of a minimum amount of alcohol or a minimum spend on alcohol to receive a discount.
4. 'Shopper docket' alcohol promotions.

i Foundation for Alcohol Research and Education & Cancer Council WA, 2020. *An alcohol ad every 35 seconds. A snapshot of how the alcohol industry is using a global pandemic as a marketing opportunity.* <https://fare.org.au/wp-content/uploads/2020-05-08-CCWA-FARE-An-alcohol-ad-every-35-seconds-A-snapshot-final.pdf>.

ii World Health Organization, 2020, *Alcohol and COVID-19: what you need to know*, [http://www.euro.who.int/\\_\\_data/assets/pdf\\_file/0010/437608/Alcohol-and-COVID-19-what-you-need-to-know.pdf?ua=1](http://www.euro.who.int/__data/assets/pdf_file/0010/437608/Alcohol-and-COVID-19-what-you-need-to-know.pdf?ua=1).

iii World Health Organization 2006, *Intimate partner violence and alcohol fact sheet*, <[http://www.who.int/violence\\_injury\\_prevention/violence/world\\_report/factsheets/fs\\_child.pdf](http://www.who.int/violence_injury_prevention/violence/world_report/factsheets/fs_child.pdf)>.

iv Council of Australian Governments 2011, *National plan to reduce violence against women and their children*, pp. 15, 21.

v Victoria, Royal Commission into Family Violence, *Summary and recommendations* (2016), p. 28.

vi International Agency for Research on Cancer. IARC monographs on the evaluation of carcinogenic risks to humans: Volume 100E, Personal habits and indoor combustions. In: Lyon, France: International Agency for Research on Cancer; 2012; World Cancer Research Fund. Summary of global evidence on cancer prevention. In: London, UK: World Cancer Research Fund; 2017.

vii Pandeya, N, Wilson, LF, Webb, PM, Neale, RE, Bain, CJ & Whiteman, DC 2015, 'Cancers in Australia in 2010 attributable to the consumption of alcohol', *Australian and New Zealand Journal of Public Health*, vol. 39, no. 5, pp. 408-413.

viii National Drug Research Institute, *National alcohol indicators: Estimated alcohol-attributable deaths and hospitalisations in Australia, 2014 to 2015*. National Drug Research Institute Bulletin 16.

ix National Drug Research Institute, *National alcohol indicators: Estimated alcohol-attributable deaths and hospitalisations in Australia, 2014 to 2015*. National Drug Research Institute Bulletin 16.

x Gao, C Ogeil, R.P, & Lloyd, B. (2014). Alcohol's burden of disease in Australia. Canberra: FARE and VicHealth in collaboration with Turning Point.

xi Outdoor Media Association, *Annual Report 2015*, Outdoor Media Association.

xii Faulkner A, Azar D & White V 2017 'Unintended'

audiences of alcohol advertising: exposure and drinking behaviors among Australian adolescents' *Journal of Substance Use*, vol 22, no 1, pp. 108-112; Jones, SC & Magee CA 2011, 'Exposure to alcohol advertising and alcohol consumption among Australian adolescents' *Alcohol and Alcoholism*, vol 46, no. 5, pp. 630-637.

- xiii Wagenaar, AC, Salois, MJ & Komro, KA 2009, 'Effects of beverage alcohol price and tax levels on drinking: A meta-analysis of 1003 estimates from 112 studies', *Addiction*, vol. 104, no. 2, pp. 179-190.
- xiv See for example: [http://amavic.com.au/icms\\_docs/192755\\_AMA\\_Victorias\\_State\\_Election\\_Manifesto\\_2014.pdf](http://amavic.com.au/icms_docs/192755_AMA_Victorias_State_Election_Manifesto_2014.pdf)
- xv Giorgi, C 2014, *Shopper dockets: The OLGR investigation*, web log post, 3 May. Unfortunately, the Director General of OLGR decided not to support his agency's recommendation.
- xvi White, V & Williams, T 2016, *Australian secondary school students' use of tobacco, alcohol, and over-the-counter and illicit substances in 2014*, Cancer Council Victoria.
- xvii National Health and Medical Research Council (Cth) 2009, *Australian guidelines to reduce health risks from drinking alcohol*, <<https://www.nhmrc.gov.au/guidelines-publications/ds10>>.
- xviii Jernigan D, Noel J, Landon J, Thornton N & Lobstein T 2016, 'Alcohol marketing and youth alcohol consumption: a systematic review of longitudinal studies published since 2008', *Addiction*, vol 112 (Suppl 1), pp. 7-20; Anderson, P, de Bruijn, A, Angus, K, Gordon, R & Hastings, G 2009, 'Impact of alcohol advertising and media exposure on adolescent alcohol use: A systematic review of longitudinal studies', *Alcohol and Alcoholism*, vol. 44, no. 3, pp. 229-43; Smith, LA & Foxcroft, DR 2009, 'The effect of alcohol advertising and marketing on drinking behaviour in young people: Systematic review of prospective cohort studies', *BMC Public Health* (online), vol. 9, no. 51.
- xix Faulkner A, Azar D & White V 2017 'Unintended audiences of alcohol advertising: exposure and drinking behaviors among Australian adolescents' *Journal of Substance Use*, vol 22, no 1, pp. 108-112
- xx Carver A, Watson B, Shaw B & Hillman M 2013 'A comparison study of children's independent mobility in England and Australia', *Children's Geographies*, vol 11, no 4, pp. 461-475.
- xxi *Liquor Control Reform Act 1998* (Vic), s. 115A.
- xxii Victorian Commission for Gambling and Liquor Regulation 2013, *Guidelines for responsible liquor advertising and promotion*, <[http://assets.justice.vic.gov.au/vcglr/resources/9f470ae4-b191-46ff-8a58-59211e71e5a6/guidelinesforadvertisingpromotions\\_lowres.pdf](http://assets.justice.vic.gov.au/vcglr/resources/9f470ae4-b191-46ff-8a58-59211e71e5a6/guidelinesforadvertisingpromotions_lowres.pdf)>.
- xxiii Victorian Commission for Gambling and Liquor Regulation 2013, *Guidelines for responsible liquor advertising and promotion*, <[http://assets.justice.vic.gov.au/vcglr/resources/9f470ae4-b191-46ff-8a58-59211e71e5a6/guidelinesforadvertisingpromotions\\_lowres.pdf](http://assets.justice.vic.gov.au/vcglr/resources/9f470ae4-b191-46ff-8a58-59211e71e5a6/guidelinesforadvertisingpromotions_lowres.pdf)>.
- xxiv Victorian Health Promotion Foundation, *Community Attitudes to Alcohol Policy – Survey Results 2010*, unpublished.
- xxv *Liquor Regulation 2010* (ACT), section 29(1)(h).