

February 25, 2016

James A. McGreevy III
President and Chief Executive Officer, The Beer Institute
440 First St. NW, Suite 350
Washington, D.C. 20001

Dear Mr. McGreevy,

As organizations dedicated to protecting children and adolescents from the dangers of underage drinking, we are writing to request The Beer Institute strengthen its advertising and marketing code, and enforcement of the code, to prevent youth exposure to harmful and inappropriate alcohol advertising.

There is strong consensus among health professionals and researchers that underage drinking is dangerous and can lead to serious long-term negative health and social consequences, including violence, sexual assault, drinking and driving, anxiety and depression.ⁱ Numerous studies have shown a significant and consistent connection between excessive youth drinking behavior and the amount of alcohol advertisements to which they are exposed.^{ii iii iv}

In the absence of enforceable legal rules, the public is forced to rely on industry self-regulation to limit youth exposure to beer advertisements. New evidence from Johns Hopkins University Bloomberg School of Public Health shows that your current code and enforcement efforts are falling far short of what is needed. The Beer Institute's current Advertising and Marketing Code states that, "Placements made by or under the control of the Brewer in magazines, in newspapers, on television, on radio, and in digital media in which there is no dialogue between a Brewer and user, may only be made where at least 71.6% of the audience is expected to be adults of legal drinking age."^v Johns Hopkins researchers found that between 2005 and 2012, 15.1 billion alcohol TV-advertising impressions were viewed by audiences that included more young people than is allowed by your code. Nearly all of these advertisements aired on cable television.^{vi vii}

The Johns Hopkins study also concluded that implementing "no-buy" list criteria could address this ongoing problem of non-compliance and significantly could reduce youth exposure to alcohol advertising on television.^{viii} Additionally, the Federal Trade Commission (FTC) has also long recognized the importance of strong self-regulation by the alcoholic-beverage industry to protect youth and has recommended that companies adopt strong "no-buy" list criteria. We urge The Beer Institute to adopt the following "no-buy" list criteria, listed in the Johns Hopkins University study^{ix} and informed by the FTC recommendations^x, to strengthen your existing voluntary code:

1. Avoid advertising on programs that are known to have previously violated your placement standards;
2. Avoid advertising on programs that run during time periods known to be popular among underage youth; and
3. Avoid programs that are known to have a small number of adult viewers

The team led by Johns Hopkins also has published specific programs and network/time of day combinations that should be avoided, and will be publishing those lists quarterly. We encourage you to draw your members' attention to those lists to assist them in complying with your voluntary code.

The industry has long opposed government regulation of marketing and advertising, which makes it incumbent on you to maintain strict and aggressively enforced standards. The Johns Hopkins

report shows this is not happening, needlessly endangering youth across the country. It also defines a straightforward path to remedy current failings. We urge you to act immediately to adopt the recommendations in the Johns Hopkins study, and look forward to your timely response. Replies should be directed to Kristen Strader, Campaign Coordinator for Public Citizen's Commercial Alert Campaign at kstrader@citizen.org or 202-588-7785.

Sincerely,

Alcohol and Substance Abuse Council of Jefferson County, D.B.A. Pivot

Alcohol Justice

American Academy of Pediatrics

Bon Secours New York Health System

Campaign for a Commercial-Free Childhood

Center for Science in the Public Interest

Council for Prevention

Drug Free Action Alliance

LEAF Council on Alcoholism and Addictions

NAADAC, the Association for Addiction Professionals

National Liquor Law Enforcement Association

New Futures

New York Alcohol Policy Alliance

Oregon Lines for Life

Project Extra Mile

Public Citizen

US Alcohol Policy Alliance

-
- ⁱ Miller, J., Naimi, T., Brewer, R., Jones, S. (2007). Binge Drinking and Associated Health Risk Behaviors Among High School Students. *Pediatrics*, 119.1. Retrieved from <http://pediatrics.aappublications.org/content/119/1/76>
- ⁱⁱ Aderson, P., Brujin, 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*, 44. Retrieved from <http://alcalc.oxfordjournals.org/content/44/3/229>
- ⁱⁱⁱ Siegal, M., Ross, C., Albers, A., DeJong, W., King, C., Naimi, T., Jernigan, D. (2015). The relationship between exposure to brand-specific alcohol advertising and brand-specific consumption among underage drinkers – United States, 2011-2012. *The American Journal of Drug and Alcohol Abuse*.
- ^{iv} Aderson, P., Brujin, 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*, 44. Retrieved from <http://alcalc.oxfordjournals.org/content/44/3/229>
- ^v The Beer Institute (2015). Advertising and Marketing Code. Retrieved from <http://www.beerinstitute.org/assets/uploads/general-upload/2015-Beer-Ad-Code-Brochure.pdf>
- ^{vi} Ross, C., Sims, J., Jernigan, D. (2016). Alcohol Advertising Compliance on Cable Television January-March , 2015. Johns Hopkins University Bloomberg School of Public Health. Retrieved from http://www.camy.org/_docs/resources/reports/alcohol-advertising-monitoring/CAMY_CableTV_2015_Q1.pdf
- ^{vii} Ross, C., Brewer, R., Jernigan, D. (2016). The Potential Impact of a "No-Buy" List on Youth Exposure to Alcohol Advertising on Cable Television. *Journal of Studies on Alcohol and Drugs*. Retrieved from <http://www.ncbi.nlm.nih.gov/pubmed/26751350>
- ^{viii} Ross, C., Brewer, R., Jernigan, D. (2016). The Potential Impact of a "No-Buy" List on Youth Exposure to Alcohol Advertising on Cable Television. *Journal of Studies on Alcohol and Drugs*. Retrieved from <http://www.ncbi.nlm.nih.gov/pubmed/26751350>
- ^{ix} Ross, C., Sims, J., Jernigan, D. (2016). Alcohol Advertising Compliance on Cable Television January-March , 2015. Johns Hopkins University Bloomberg School of Public Health. Retrieved from http://www.camy.org/_docs/resources/reports/alcohol-advertising-monitoring/CAMY_CableTV_2015_Q1.pdf
- ^x Federal Trade Commission (2014). Self-Regulation in the Alcohol Industry: Report of the Federal Trade Commission. Retrieved from <https://www.ftc.gov/reports/self-regulation-alcohol-industry-federal-trade-commission-report-congress>

February 25, 2016

Robert P. Koch
President and CEO, The Wine Institute
425 Market Street, Suite 1000
San Francisco, CA 94105

Dear Mr. Koch,

As organizations dedicated to protecting children and adolescents from the dangers of underage drinking, we are writing to request The Wine Institute strengthen its advertising and marketing code, and enforcement of the code, to prevent youth exposure to harmful and inappropriate alcohol advertising.

There is strong consensus among health professionals and researchers that underage drinking is dangerous and can lead to serious long-term negative health and social consequences, including violence, sexual assault, drinking and driving, anxiety and depression.^x Numerous studies have shown a significant and consistent connection between excessive youth drinking behavior and the amount of alcohol advertisements to which they are exposed.^{x x x}

In the absence of enforceable legal rules, the public is forced to rely on industry self-regulation to limit youth exposure to alcohol advertisements. New evidence from Johns Hopkins University Bloomberg School of Public Health shows that your current code and enforcement efforts are falling far short of what is needed. The Wine Institute Code of Advertising Standards states that, “wine advertising shall not be placed in media with substantial underage appeal and shall not appear in any media where more than 28.4% of the audience is underage (determined by using reliable, up-to-date audience composition data).”^x Johns Hopkins researchers found that between 2005 and 2012, 15.1 billion alcohol TV-advertising impressions were viewed by audiences that included more young people than is allowed by your code. Nearly all of these advertisements aired on cable television.^{x x}

The Johns Hopkins study also concluded that implementing “no-buy” list criteria could address this ongoing problem of non-compliance and significantly could reduce youth exposure to alcohol advertising on television.^x Additionally, the Federal Trade Commission (FTC) has also long recognized the importance of strong self-regulation by the alcoholic-beverage industry to protect youth and has recommended that companies adopt strong “no-buy” list criteria. We urge The Wine Institute to adopt the following “no-buy” list criteria, listed in the Johns Hopkins University study^x and informed by the FTC recommendations^x, to strengthen your existing voluntary code:

1. Avoid advertising on programs that are known to have previously violated your placement standards;
2. Avoid advertising on programs that run during time periods known to be popular among underage youth; and
3. Avoid programs that are known to have a small number of adult viewers

The team led by Johns Hopkins also has published specific programs and network/time of day combinations that should be avoided, and will be publishing those lists quarterly. We encourage you to draw your members’ attention to those lists to assist them in complying with your voluntary code.

The industry has long opposed government regulation of marketing and advertising, which makes it incumbent on you to maintain strict and aggressively enforced standards. The Johns Hopkins report shows this is not happening, needlessly endangering youth across the country. It also defines a straightforward path to remedy current failings. We urge you to act immediately to adopt the recommendations in the Johns Hopkins study, and look forward to your timely response. Replies should be directed to Kristen Strader, Campaign Coordinator for Public Citizen's Commercial Alert Campaign at kstrader@citizen.org or 202-588-7785.

Sincerely,

Alcohol and Substance Abuse Council of Jefferson County, D.B.A. Pivot

Alcohol Justice

American Academy of Pediatrics

Bon Secours New York Health System

Campaign for a Commercial-Free Childhood

Center for Science in the Public Interest

Council for Prevention

Drug Free Action Alliance

LEAF Council on Alcoholism and Addictions

NAADAC, the Association for Addiction Professionals

National Liquor Law Enforcement Association

New Futures

New York Alcohol Policy Alliance

Oregon Lines for Life

Project Extra Mile

Public Citizen

US Alcohol Policy Alliance

February 25, 2016

Kraig R. Naasz
President and CEO, Distilled Spirits Council of the United States
1250 Eye Street, NW, Suite 400
Washington, D.C. 20005

Dear Mr. Naasz,

As organizations dedicated to protecting children and adolescents from the dangers of underage drinking, we are writing to request The Distilled Spirits Council of the United States strengthen its advertising and marketing code, and enforcement of the code, to prevent youth exposure to harmful and inappropriate alcohol advertising.

There is strong consensus among health professionals and researchers that underage drinking is dangerous and can lead to serious long-term negative health and social consequences, including violence, sexual assault, drinking and driving, anxiety and depression.^x Numerous studies have shown a significant and consistent connection between excessive youth drinking behavior and the amount of alcohol advertisements to which they are exposed.^{x x x}

In the absence of enforceable legal rules, the public is forced to rely on industry self-regulation to limit youth exposure to alcohol advertisements. New evidence from Johns Hopkins University Bloomberg School of Public Health shows that your current code and enforcement efforts are falling far short of what is needed. The Distilled Spirits Council Code of Responsible Practices states that, “Beverage alcohol advertising and marketing should be placed in broadcast, cable, radio, print, and internet/digital communications only where at least 71.6 percent of the audience is reasonably expected to be of legal purchase age (determined by using reliable, up-to-date audience composition data).”^x Johns Hopkins researchers found that between 2005 and 2012, 15.1 billion alcohol TV-advertising impressions were viewed by audiences that included more young people than is allowed by your code. Nearly all of these advertisements aired on cable television.^{x x}

The Johns Hopkins study also concluded that implementing “no-buy” list criteria could address this ongoing problem of non-compliance and significantly could reduce youth exposure to alcohol advertising on television.^x Additionally, the Federal Trade Commission (FTC) has also long recognized the importance of strong self-regulation by the alcoholic-beverage industry to protect youth and has recommended that companies adopt strong “no-buy” list criteria. We urge The Distilled Spirits Council of the United States to adopt the following “no-buy” list criteria, listed in the Johns Hopkins University study^x and informed by the FTC recommendations^x, to strengthen your existing voluntary code:

- Avoid advertising on programs that are known to have previously violated your placement standards;
- Avoid advertising on programs that run during time periods known to be popular among underage youth; and
- Avoid programs that are known to have a small number of adult viewers

The team led by Johns Hopkins also has published specific programs and network/time of day combinations that should be avoided, and will be publishing those lists quarterly. We encourage you to draw your members' attention to those lists to assist them in complying with your voluntary code.

The industry has long opposed government regulation of marketing and advertising, which makes it incumbent on you to maintain strict and aggressively enforced standards. The Johns Hopkins report shows this is not happening, needlessly endangering youth across the country. It also defines a straightforward path to remedy current failings. We urge you to act immediately to adopt the recommendations in the Johns Hopkins study, and look forward to your timely response. Replies should be directed to Kristen Strader, Campaign Coordinator for Public Citizen's Commercial Alert Campaign at kstrader@citizen.org or 202-588-7785.

Sincerely,

Alcohol and Substance Abuse Council of Jefferson County, D.B.A. Pivot

Alcohol Justice

American Academy of Pediatrics

Bon Secours New York Health System

Campaign for a Commercial-Free Childhood

Center for Science in the Public Interest

Council for Prevention

Drug Free Action Alliance

LEAF Council on Alcoholism and Addictions

NAADAC, the Association for Addiction Professionals

National Liquor Law Enforcement Association

New Futures

New York Alcohol Policy Alliance

Oregon Lines for Life

Project Extra Mile

Public Citizen

US Alcohol Policy Alliance