

Alcohol alternatives

Advertising Guidance
(broadcast and non-broadcast)

Legal, decent, honest and truthful



Foreword

The Committee of Advertising Practice (CAP) offers guidance on the interpretation of the UK Code of Advertising (the CAP Code) in relation to non-broadcast marketing communications.

The Broadcast Committee of Advertising Practice (BCAP) offers guidance on the interpretation of the UK Code of Broadcast Advertising (the BCAP Code) in relation to broadcast marketing communications.

Advertising Guidance is intended to guide advertisers, agencies and media owners how to interpret the Codes but is not a substitute for those Codes. Advertising Guidance reflects CAP's and/or BCAP's intended effect of the Codes but neither constitutes new rules nor binds the ASA Councils in the event of a complaint about an advertisement that follows it.

For pre-publication advice on specific non-broadcast advertisements, consult the CAP Copy Advice team by telephone on 020 7492 2100 or you can log a written enquiry via our [online request form](#).

For advice on specific radio advertisements, consult [Radiocentre](#), and for TV advertisements, [Clearcast](#).

For the full list of Advertising Guidance, please [visit our website](#).

Background

This guidance is about the marketing of alcohol alternatives, provided to support advertisers in responsible marketing of alcohol alternatives. Its purpose is to define when ads for alcohol alternatives may be subject to the standard alcohol rules and explain how alcohol alternatives can be marketed without inadvertently encouraging inappropriate consumption of alcohol. This is particularly important for ads that use imagery relating to alcoholic drinks or show circumstances in which alcohol consumption would be inappropriate or unsafe.

CAP Code Rules

Alcohol alternatives

Alcohol alternatives are non-alcoholic drinks (those at or under 0.5% ABV) that are intended to replace alcoholic drinks in contexts where they would normally be consumed, for example non-alcoholic beer. A specific drink or range of drinks is an alcohol alternative if the audience is likely to consider it as such.

18.18

If a marketing communication for an alcohol alternative also refers to, or otherwise has the effect of promoting, an alcoholic drink, the rules relating to alcoholic drinks apply in full.

For the avoidance of doubt, where a marketing communication is for an alcohol alternative that shares the same brand as an alcoholic drink, then this rule will not apply provided that the marketing communication is solely for the alcohol alternative and not the brand itself.

18.19

Marketing communications for alcohol alternatives with ABVs above 0% must include a prominent statement of their ABV. For the avoidance of doubt, marketing communications for alcohol alternatives are not prohibited from making a feature of their ABV or from making preference claims on this basis.

18.20

Marketing communications that feature alcohol alternatives being consumed in circumstances that would be inappropriate or unsafe for alcoholic drinks must make clear that the product is non-alcoholic.

18.21

Marketing communications for alcohol alternatives must not encourage the consumption of alcohol at times or on occasions that are not generally considered to be appropriate, such as during the working day or during sporting activities.

18.22

Marketing communications must not encourage excessive or otherwise problematic consumption of alcohol or promote alcohol alternatives in a way that might encourage an increase in drinking. This does not prohibit ads from encouraging heavy or binge drinkers to swap to alcohol alternatives.

18.23

Marketing communications for alcohol alternatives must not be likely to appeal particularly to people under 18, especially by reflecting or being associated with youth culture. They should not feature or portray real or fictitious characters who are likely to appeal particularly to people under 18 in a way that might encourage the young to drink alcohol or alcohol alternatives. People shown drinking or playing a significant role (see rule 18.24) should not be shown behaving in an adolescent or juvenile manner.

18.24

Marketing communications for alcohol alternatives must not be directed at people under 18 through the selection of media or the context in which they appear. No medium should be used to advertise alcohol alternatives if more than 25% of its audience is under 18 years of age.

18.25

People shown drinking or playing a significant role must neither be nor seem to be under 25. People under 25 may be shown in marketing communications, for example, in the context of family celebrations, but must be obviously not drinking.

BCAP Code Rules

Alcohol alternatives

Alcohol alternatives are non-alcoholic drinks (those at or under 0.5% ABV) that are intended to replace alcoholic drinks in contexts where they would normally be consumed, for example non-alcoholic beer. A specific drink or range of drinks is an alcohol alternative if the audience is likely to consider it as such.

19.19

If an advertisement for an alcohol alternative also refers to, or otherwise has the effect of promoting, an alcoholic drink, the rules relating to alcoholic drinks apply in full.

For the avoidance of doubt, where an advertisement is for an alcohol alternative that shares the same brand as an alcoholic drink, then this rule will not apply provided that the advertisement is solely for the alcohol alternative and not the brand itself.

19.20

Advertisements for alcohol alternatives with ABVs above 0% must include a prominent statement of their ABV. For the avoidance of doubt, advertisements for alcohol alternatives are not prohibited from making a feature of their ABV or from making preference claims on this basis.

19.21

Advertisements that feature alcohol alternatives being consumed in circumstances that would be inappropriate or unsafe for alcoholic drinks must make clear that the product is non-alcoholic.

19.22

Advertisements for alcohol alternatives must not encourage the consumption of alcohol at times or on occasions that are not generally considered to be appropriate, such as during the working day or during sporting activities.

19.23

Advertisements must not encourage excessive or otherwise problematic consumption of alcohol or promote alcohol alternatives in a way that might encourage an increase in drinking. This does not prohibit ads from encouraging heavy or binge drinkers to swap to alcohol alternatives.

19.24

Television only – Alcohol alternatives advertisements must not:

19.24.1

be likely to appeal strongly to people under 18, especially by reflecting or being associated with youth culture or showing adolescent or juvenile behaviour

19.24.2

include a person or character whose example is likely to be followed by those aged under 18 years or who has a strong appeal to those aged under 18.

19.25

Radio only – Alcohol alternatives advertisements must not:

19.25.1

be targeted at those under 18 years or use a treatment likely to be of particular appeal to them.

19.25.2

include a person or character whose example is likely to be followed by those aged under 18 years or who has a particular appeal to those aged under 18.

19.26

Alcohol alternatives advertisements must not feature in a significant role anyone who is, or seems to be, under 25 and must not feature children.

An exception is made for advertisements that feature families socialising responsibly. Here, children may be included but they should have an incidental role only and anyone who seems to be under the age of 25 must be obviously not drinking alcohol or alcohol alternatives.

32.2

These may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to audiences below the age of 18:

32.2.1

Alcoholic drinks containing 0.5% or more by volume or alcohol alternatives at or below 0.5% ABV

Guidance

ABV limits

The alcohol rules in the Advertising Codes treat alcoholic drinks as those above 0.5% ABV. CAP and BCAP understand that the legislation relating to descriptors for drinks with low alcoholic strength has been revoked and replaced with guidance on suggested conditions for their voluntary use. The alcohol alternatives market, broadly speaking, uses 'alcohol free,' 'zero alcohol,' and 'non-alcoholic' to describe drinks at or below 0.5%, and this guidance reflects that approach.

Definition

Alcohol alternatives are non-alcoholic drinks (those at or under 0.5% ABV) that are intended to replace alcoholic drinks in contexts where they would normally be consumed, e.g. non-alcoholic beer. As a relatively new and continually evolving product category, CAP and BCAP have taken a principles-based approach to defining alcohol

alternatives. Therefore, the Codes state that “a specific drink or range of drinks is an alcohol alternative if a reasonable person is likely to consider it as such.”

Factors that are likely to indicate that a drink is an alcohol alternative include:

- similar styles of branding to alcoholic drinks or shared branding with alcoholic drinks;
- images featuring packaging similar to alcoholic drinks;
- imagery relating to alcoholic drinks, such as beer glasses, cocktail shakers, or garnished drinks;
- references to ‘<0.5% ABV’ or similar;
- references to the type of alcohol that the product is intended to mimic or replace;
- specific references to a lack of alcohol e.g. ‘alcohol free’;
- a focus on situations where a significant proportion of consumers may typically drink alcoholic drinks, such as at a bar or party

This is not intended to be an exhaustive list.

Cross-promotion

Marketing communications might, whether by accident or design, have the effect of promoting alcoholic drinks. A clear example of this would be where alcohol alternatives were promoted directly alongside alcoholic drinks, as part of a wider brand range or by a retailer. More implicitly, the use of alcohol-related imagery (similar packaging, glassware, or serving styles) without clarity about the alcohol-free nature of the product is likely to be considered to have the effect of promoting alcoholic drinks, even though the product itself is alcohol free. Such ads need to comply with rules relating to alcoholic drinks.

Retailer websites

Individual product pages on websites that also sell alcoholic drinks will not automatically be considered to be cross-promotional, as long as it clear that the product is non-alcoholic and the page does not feature alcoholic drinks or specifically direct consumers to them. Marketers should also take note of the advice below relating to shared branding.

An automatically-populated list of products previously viewed by a customer that includes alcoholic products would not be viewed as cross-promotional under this rule,

and neither would similar dynamic lists of popular products or a brand's other products and the like.

Broad alcohol references

Ads referring broadly to alcoholic drinks (without featuring specific brands) for the sole purpose of suggesting that consumers switch to an alternative to decrease their alcohol intake are unlikely to be considered under this rule, particularly if that reference is not accompanied by imagery related to drinking alcohol.

Shared branding

Some alcohol alternatives are marketed under the umbrella of an existing alcohol brand, usually as a non-alcoholic version of a popular alcoholic drink. Ads for such products will not inherently be treated as cross-promotional, but marketers must take care. To avoid cross-promoting alcoholic drinks in ads for a shared-brand alcohol alternative, advertisers should ensure that the focus is always on the alcohol free product, rather than the brand itself. For instance, prominently displaying the brand name by itself, rather than in the context of the specific product name, is likely to be seen to promote the brand as a whole, thereby having the effect of promoting an alcoholic drink. Such ads need to comply with rules relating to alcoholic drinks.

Brand websites

Individual product (or alcohol free range) pages on websites for a particular brand that have alcoholic and non-alcoholic products (e.g. a beer brand with some alcohol free products) are also not automatically considered to be cross-promotional. Links and references to alcoholic products that are part of the wider site architecture, such as header images and links to other products, would not generally be considered to constitute cross-promotion. However, a specific direction to an alcoholic product (e.g. "if you like our zero alcohol product, try the original") would constitute a promotion of that product.

If the page describes the original alcoholic product, for example when discussing the production, development, or history of the alcohol free product, then marketers should take care. The following table provides examples of claims relating to the alcoholic product to illustrate this divide:

Factual	Promotional
Date and/or country of origin Type of hops/grapes/grain etc Factual tasting notes – hoppy, dry etc	Focus on quality, including relating to history, origin, or the production process

<p>Outline of production process and how it differs from the alcohol free process</p> <p>Factual comparisons focussed on the alcohol free version, e.g. 'lighter', 'same taste'</p>	<p>Taste descriptions going beyond factual, such as 'great taste' or 'the taste you know and love'</p> <p>Comparisons that promote the original, e.g. saying that the alcohol free version is 'even lighter' or has the 'same great taste'</p>
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ABV statements

Some consumers do not wish to consume drinks with even trace amounts of alcohol, including because there is a risk of physical or emotional harm. As descriptors such as 'alcohol free' are used for alcohol alternatives up to and including 0.5% ABV, the ABV should be stated with reasonable prominence in the ad; footnotes, onscreen text, or the equivalent for audio ads are all unlikely to be sufficiently prominent.

For genuinely alcohol free alternatives (such as blends of botanical extracts presented as alternatives to spirits, or beer brewed without alcohol-producing fermentation) no ABV statement is necessary, although advertisers may state 0% ABV if they wish.

Unlike the majority of alcohol marketing, ads for alcohol alternatives may make a feature of their ABV (or total lack thereof) and state or imply that the product is preferable because of it.

Unsafe circumstances

Unlike alcohol products, there are no public policy concerns over the consumption of alcohol alternatives in circumstances like driving. Alcohol alternatives are useful products for consumers who are unwilling or unable to drink alcohol in some or all circumstances, such as those who are pregnant or a designated driver. Ads for alcohol alternatives are not prohibited from marketing products in these contexts, but imagery that would not be consistent with rules for alcoholic drinks should only be used if it is already clear from the ad at the time of or before this imagery that the product is non-alcoholic.

The following factors are likely to make ads compliant with this rule:

- A clear and prominent statement of the product's name and 'alcohol free' (or similar, with ABV where relevant); or
- Statements such as "if you don't want to drink alcohol..." or "for those not drinking..."

Advertisers should take care when attempting to use ambiguity, as it should be clear to consumers that the apparently unsafe or inappropriate consumption is acceptable because the product does not contain alcohol.

Drinking occasions

To avoid promoting increased consumption of alcohol, ads for alcohol alternatives should not encourage drinking when it is not already considered to be appropriate. Such encouragements are likely to take the form of using alcohol-related imagery (such as dressed/garnished drinks and typical glassware) in contexts such as:

- early morning
- during the working day
- during sporting activities
- in schools or childcare situations

Not every reference to an alcohol alternative in these circumstances would inherently promote alcohol consumption, and the presentation and context of an ad would play a significant role.

Excessive consumption of alcohol

Because of their proximity to alcoholic drinks, alcohol alternative advertising must be careful not to encourage excessive or otherwise problematic consumption of alcohol. CAP and BCAP consider that this is most likely to happen when ads that refer to heavy/binge drinking, or aftereffects such as severe hangovers, imply that these are normal, expected, or matter-of-fact drinking styles. While the execution of such references will affect their interpretation and compliance, the following approaches are more likely to be inappropriate:

- implying that sobriety or not drinking is boring
- implying that consumers can ‘still’ drink a lot by swapping some drinks for alcohol alternatives
- language and imagery relating to binge-drinking, particularly where it is unclear that the product is alcohol-free, e.g.
 - ‘all you can drink’ statements
 - images such as people consuming large quantities of drinks, including very large drinking vessels
 - references to ‘usually’ waking up with a hangover

- references to 'keeping up with' friends who are drinking a lot, particularly with references to them being significantly inebriated
- glamorising irresponsible drinking
- implying that people who do not drink are 'missing out'
- implying that an alcoholic or alcohol-like drink is an essential component of relaxing, socialising, or having fun
- references to wanting or needing a drink while in socially unacceptable circumstances (see above section)

For the avoidance of doubt, advertisers may encourage consumers to swap all or some of their drinks with alcohol alternatives, including consumers who may regularly drink heavily or binge. Indeed, this is a considerable advantage of the product. However, such encouragements should not frame this latter behaviour as desirable, commonplace, or glamorous.

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