

Alcohol TV ads

Advertising Guidance (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, by fax on 020 7404 3404 or you can log a written enquiry via our [online request form](#).

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

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

Background

The rules controlling broadcast advertising content of alcohol advertisements were strengthened in 2005, particularly with the intention of protecting the young in the four areas where they may be considered vulnerable to alcohol misuse: sexual behaviour, immoderate drinking, youth appeal and anti-social behaviour. They have been amended in the new Code to bring about greater consistency between TV and Radio. The new rules also now apply to all drinks, including those with a low-alcohol content which were previously exempted from a number of rules. There are now only two exceptions for low-alcohol drinks which are covered below.

Overview

The rules in this section apply to advertisements for alcoholic drinks and advertisements that feature or refer to alcoholic drinks. Alcoholic drinks are defined as those containing at least 0.5% alcohol; for the purposes of this Code low-alcohol drinks are defined as drinks containing between 0.5% and 1.2% alcohol.

Where stated, exceptions are made for low-alcohol drinks. But, if an advertisement for a low-alcohol drink could be considered to promote a stronger alcoholic drink or if the low-alcohol content of a drink is not stated clearly in the advertisement, all the rules in this section apply. If a soft drink is promoted as a mixer, the rules in this section apply in full.

The rules are not intended to inhibit responsible advertisements that are intended to counter problem drinking or tell consumers about alcohol-related health or safety themes. Those advertisements should not be likely to promote an alcohol product or brand.

In this Guidance, examples are sometimes offered but they should be regarded merely as illustrating the intended spirit of the rule.

N.B. unless otherwise stated, the term “alcohol” in this Guidance means “alcohol or a particular type or brand of alcoholic drink”.

BCAP Code rules

19.2 Advertisements must not feature, imply, condone or encourage irresponsible or immoderate drinking. That applies to both the amount of drink and the way drinking is portrayed.

References to, or suggestions of, buying repeat rounds of alcoholic drinks are not acceptable. That does not prevent, for example, someone buying a drink for each member of a group. It does, however, prevent any suggestion that other members of the group will buy a round.

Guidance

This rule is intended to prevent viewers thinking that immoderate consumption of alcohol is acceptable. It would therefore rule out, for example, scenarios such as drinking sessions, drinking games, downing drinks in one swallow or excessively quickly and pub or club “crawls”.

Advertisements must not show or suggest an excessive amount of alcohol dispensed per person. Depictions of well-stocked bars or guests arriving carrying alcohol are acceptable provided that nothing implies that immoderate consumption has taken or will take place.

In considering what would constitute an excessive amount of alcohol, please apply the Department of Health’s Recommended Daily Amounts of alcohol.

Advertisements may show a person buying a drink for friends but must not suggest that a pattern of round buying is to be, or has been, established. The use of the word “round” or similar is unacceptable.

Advertisements must not suggest peer pressure on individuals to drink alcohol.

BCAP Code rules

19.3 Advertisements must neither imply that alcohol can contribute to an individual’s popularity or confidence nor imply that alcohol can enhance personal qualities.

Guidance

The purpose of this rule is to prevent any suggestion that an individual becomes more attractive or a better person or that self assurance can be improved through choosing to drink alcohol.

Any suggestion that an individual’s behaviour or performance can be changed by drinking is prohibited. No advertisement should suggest that an individual is to be more admired for choosing to drink alcohol or that a person who chooses not to drink might be less popular.

BCAP Code rules

19.3 Advertisements must not imply that drinking alcohol is a key component of social success or acceptance or that refusal is a sign of weakness. Advertisements must not imply that the success of a social occasion depends on the presence or consumption of alcohol.

Guidance

This rule is not intended to prevent the depiction of alcohol as a responsible social lubricant but is designed to prevent the suggestion that the successful outcome of a social occasion depends on or results from the presence or consumption of alcohol.

The introduction of alcohol should not be seen to transform a social occasion and the choice of a type or brand of alcohol instead of another should not seem to contribute to the success of a social occasion. Lively, but responsible, social interaction or party scenes with alcohol present are allowed but that liveliness must not depend on or result from the presence of alcohol. No behaviour may be adolescent or childish.

Please also refer to rule 19.6.

BCAP Code rules

19.5 Advertisements must not link alcohol with daring, toughness, aggression or unruly, irresponsible or antisocial behaviour.

Guidance

This rule applies whether or not alcohol consumption is seen or implied.

The “daring” element of the rule is designed to prevent associating alcohol with feats that would be considered dangerous, foolish or reckless or likely to encourage irresponsible or anti-social behaviour.

“Toughness”: Advertisements should not suggest that drinkers of alcohol are tough, macho or resilient or associate such qualities with a brand’s image.

“Aggression”: Attitudes, behaviour or atmospheres that are threatening or potentially violent are prohibited as is the use of weapons or objects as weapons.

“Antisocial behaviour”: What constitutes anti-social behaviour, especially among the young, can be the subject of wide interpretation but will be associated with behaviour that offends against generally accepted social norms and common sense. Examples include non-playful rudeness, excessive boisterousness and behaviour not normally associated with sobriety. Care should be taken to avoid immature, adolescent, childish, boorish or loutish behaviour and this applies to both men and women.

The prohibition on unruly and irresponsible behaviour includes threatening or violent behaviour, rowdiness, rudeness, irresponsible or adolescent behaviour or generally ill-disciplined actions and attempts at potentially dangerous activity, whether successful or not.

The rule, however, is not intended to prevent all irreverence or humour.

Please also refer to rules 19.3, 19.15 and 19.16.

BCAP Code rules

19.6 Advertisements must not link alcohol with sexual activity, sexual success or seduction or imply that alcohol can enhance attractiveness. That does not preclude linking alcohol with romance or flirtation.

Guidance

The purpose of this rule is, for example, to allow a couple to sit together sharing affectionate kisses or glances but not to allow sexual contact, an erotic atmosphere or implications of a sexual motive. The rule is not designed to prevent the use of glamorous images.

Advertisements may not suggest that alcohol has a positive role to play in sexual relationships. Alcohol should not be used as an aid to seduction or seem to enhance a person's attractiveness.

It is permissible to use warm, sensuous images or dialogue to illustrate or describe an alcohol product but they must not seem to be linked to sex or a sexual motive.

The depiction of alcohol as a responsible social lubricant is allowed provided rules 19.3 and 19.4 are observed.

Linking alcohol with mild flirtation or romance is similarly allowed, for example by using gentle dialogue, facial expressions or body language that do not imply sexual activity has taken, or is about to take, place.

The use of sexual innuendo will be acceptable only if the innuendo is not linked to alcohol in any way. The use of sexual innuendo must comply with general Code rules about offence.

BCAP Code rules

19.7 Advertisements must not portray alcohol as indispensable or as taking priority in life. Advertisements must not imply that drinking can overcome problems or that regular solitary drinking is acceptable.

Guidance

This rule does not prevent showing a person having a drink alone but advertisements must not suggest that regular solitary drinking is acceptable behaviour or that alcohol is an essential or indispensable part of daily routine.

Advertisements may not suggest or imply that alcohol can be used as a means of escape from personal or emotional problems, boredom or depression.

Please also refer to rule 19.3.

BCAP Code rules

19.8 Advertisements must not imply that alcohol has therapeutic qualities. Alcohol must not be portrayed as capable of changing mood, physical condition or behaviour or as a source of nourishment. Although they may refer to refreshment, advertisements must not imply that alcohol can improve any type of performance.

Guidance

Advertisements must not suggest that alcohol can improve physical or mental performance or that it is necessary to maintain a normal lifestyle. Please refer also to rules 19.3 and 19.7.

BCAP Code rules

19.10 Advertisements may give factual information about the alcoholic strength of a drink. They may also make a factual alcohol strength comparison with another product, but only when the comparison is with a higher strength product of a similar beverage. Advertisements must not imply that a drink may be preferred because of its alcohol content or intoxicating effect. There is an exception for low-alcohol drinks, which may be presented as preferable because of their low alcoholic strength.

In the case of a drink with relatively high alcoholic strength in relation to its category, the factual information should not be given undue emphasis.

Guidance

Under this rule, factual references to an alcohol product's strength are acceptable; comparisons with other products are only permitted when comparing with a higher-strength drink in the same category (e.g. beer, wine, cider).

Advertisements may suggest that a drink could be preferred because of its taste, but in no circumstances should the ad imply that the alcoholic strength of the drink makes it preferable, unless it is a low-alcohol drink i.e. contains 0.5%-1.2% alcohol.

If the drink being advertised is of particularly high strength in relation to other drinks in its category, the factual information must not be given undue emphasis.

BCAP Code rules

19.11 Advertisements may include alcohol sales promotions but must not imply, condone or encourage immoderate drinking.

Guidance

Please also refer to rule 19.2

This rule seeks to prevent advertising for alcoholic drinks encouraging irresponsible alcohol consumption or condoning the purchase of more alcohol than an individual should safely consume.

No advertisement that refers to multiple-purchase may imply that those purchases are for anything other than shared consumption. Advertisements should not suggest an unreasonable amount of alcohol for any individual's consumption on any single drinking occasion.

In considering what would constitute an excessive amount of alcohol, please apply the Department of Health's Recommended Daily Amounts of alcohol.

BCAP Code rules

19.12 Advertisements must not feature alcohol being handled or served irresponsibly.

Guidance

There must be no suggestion of reckless abandon in the way that alcohol is handled and dispensed.

This rule is not intended to prevent the depiction of, for example, the traditional popping of champagne corks accompanied by some overflow of wine. But scenes of, for example, party-goers being soaked in champagne are not acceptable. Similarly, demonstrations of the panache of a cocktail barman in a controlled situation are likely to be acceptable but showing others amateurishly trying similar feats in an uncontrolled way is unlikely to be acceptable. Alcohol should not be thrown or poured over people and no-one may be shown pouring a drink into the mouth of another person.

BCAP Code rules

19.13 Advertisements must not link alcohol with the use of potentially dangerous machinery or driving.

Advertisements may feature sporting and other physical activities (subject to other rules in this section) but must not imply that those activities have been undertaken after the consumption of alcohol.

Guidance

Advertisements should neither show nor suggest people drinking alcohol, or having consumed alcohol, in an environment that is hazardous for drinking. They should not show or suggest drinking before using potentially dangerous machinery.

If driving, or other means of transportation, is featured, there should be no suggestion that the person in charge of, or steering, the vehicle has been drinking or will drink and any ambiguity about that should be resolved. Similarly, if any sporting or physical activities are depicted, there must be no suggestion that these have taken place during or after the consumption of alcohol.

BCAP Code rules

19.14 Advertisements must not normally show alcohol being drunk by anyone in their working environment.

Guidance

The working environment will include offices, factories, building sites or any working situation where alcohol consumption might impair performance. An exception can be made for licensed premises (if the staff are obviously not involved in drinking) and for celebratory drinks if the end of work or business has been clearly established.

BCAP Code rules that apply to alcohol advertising

These rules apply also to all advertisements that promote alcoholic drinks, including supermarket or other retail advertisements.

19.15 Television only - Alcohol advertisements must not:

- 19.15.1** be likely to appeal strongly to people under 18, especially by reflecting or being associated with youth culture or showing adolescent or juvenile behaviour
- 19.15.2** 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.

Guidance

The purpose of this rule is to prevent advertisements that might encourage those under 18 to drink, or think they should drink, alcohol. Thus themes that are likely to appeal strongly to those under 18 are unacceptable.

It is not possible to produce an exhaustive list of possible infringements to this rule, but, as a guide, particular caution should be exercised as follows:

a) Personalities. Avoid those who are likely to have a strong appeal to the young; for example, pop stars, sportsmen and sportswomen who command particular admiration of the young, television personalities, youth-orientated performers and any person who is likely to have strong influence on the behaviour of the young.

- b) Avoid themes that are associated with youth culture; for example, disregard for authority or social norms, teenage rebelliousness, mocking or outwitting authority be it parental or otherwise, immature, adolescent or childish behaviour or practical jokes and any behaviour that seeks to set those under 18 apart from those of an older age group.
- c) Teenage fashion or clothing mostly associated with those under 18. d) Avoid music or dance that is likely to appeal strongly to under 18s. But an advertisement that, for example, features an old recording that, perhaps as a result of its use in the advertisement, becomes popular with the young once again, will not necessarily be challenged. Announcements of alcohol-sponsored events may be made but the emphasis must be on the event, not the alcohol.
- e) Language commonly used by the young but rarely by an older generation; for example, slang or novel words.
- f) Cartoons, rhymes or animation. Avoid those likely to have strong appeal to children and teenagers. Mature themes are likely to be acceptable.
- g) Caution is needed in the use of all sports. In addition, certain sports have a strong appeal to the young, for example, skateboarding or “extreme sports”; they should be avoided.
- h) Avoid puppets or cute lovable animals that are likely to inspire strong affection in the young. adolescent or childish humour must be avoided.

This rule requires particularly sensitive judgements. If they have any doubts about an advertising idea, advertisers or agencies are strongly advised to consult Clearcast for advice on TV ads at the earliest stage of script development.

BCAP Code rules

19.15 Radio only - Alcohol advertisements must not:

- 19.16.1** be targeted at those under 18 years or use a treatment likely to be of particular appeal to them.
- 19.16.2** 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.

Guidance

As above, the purpose of this rule is to prevent advertisements that might encourage those under 18 to drink, or think they should drink, alcohol. Thus themes that are likely to appeal particularly to those under 18 are unacceptable. See above for examples of areas that may be considered contentious.

[The difference in the wording between the TV- and Radio-specific rules hinges on the words 'strongly' and 'particular'. This distinction reflects the differences between the two media and recognizes that TV plays a strong role especially in relation to under-18 audiences. In practice the meaning is very similar and advertisers should exercise caution about any element of an alcohol advertisement which may appeal to under-18s.]

Advertisers or agencies are strongly advised to consult the RACC for advice on Radio ads at the earliest stage of script development.

BCAP Code rules

19.17 Alcohol 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.

Guidance

It is important that anyone featured in alcohol advertising not only is at least 25 years old but also must seem to be obviously over 25.

No-one, be they 25 or older, may behave in an immature, adolescent or childish manner. (see also 19.15 and 19.16)

The exception allows children to appear, in minor roles, in alcoholic drinks advertisements (as they can in, for example, advertisements for restaurants in which adults may be drinking with a meal). Those situations are likely to be either family meals at home or in a restaurant or responsible parties for over 25s.

Incidental flashbacks to youth may be used provided they adhere to the conditions set out above and, in particular, provided they are an inconsequential element of the advertising.

BCAP Code rules

19.18 Advertisements for alcoholic drinks may contain factual statements about product contents, including comparisons, but must not make any health claims, including fitness or weight control claims. The only permitted nutrition claims are "low alcohol", "reduced alcohol" and "reduced energy" and any claim likely to have the same meaning for the audience.

Guidance

- The starting point is whether a health or beneficial nutrition claim is being made. For example words such as 'light' or 'lite' may in context clearly relate only to flavour or colour, and not to nutrition and so rule 11.8.2 (f) would not apply
- If made, numerical statements of the number of calories per unit should be made clear.
- Health claims, including fitness, exercise or weight control claims, are not permitted.
- Nutrition claims are acceptable only if referring to low-alcohol levels, or the reduction of the alcohol content, or the reduction of energy content. So claims such as "light" or "lite" (referring to alcohol content) or "reduced calories" are permissible. Numerical statements of calorie or carbohydrate content should not be qualified, for example by words such as "only". Claims such as "reduced sugar", "half sugar" or "reduced/low carbohydrate" are not acceptable, since they are not energy claims.
- Factual comparisons relating to permitted nutrition claims may be made either "internally", between an advertiser's products (for example, if the calorie content has been reduced or is different from another product in the range) or between the advertiser's product and competitor products. In order not to mislead, the reduction or difference should be significant. In the case of a reduced energy claim, the energy value should be reduced by at least 30% and should be accompanied by a clear statement of the number of calories per unit of alcohol. If a comparison is made, the comparison must take into account a range of foods in the same category, and the difference in energy value must be stated.
- If a trade mark or brand name on its own implies an impermissible nutrition claim for an alcoholic drink, the advertisement should include a related permissible nutrition claim as described above. Trade marks or brand names cannot be used if they may be construed as making a health claim for an alcoholic drink.
- For health and nutrition claims for foods generally, advertisers should refer to Regulation (EC) 1924/2006. Article 4(3) concerns alcoholic drinks. Transitional provisions may apply, for example for pre 1 January 2005 brand names. Advertisers will be expected to be in a position clearly to establish the applicability of any transitional provision.

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