STRATEGIZER

A series of technical assistance manuals for community coalitions

32

Alcohol Advertising: Its Impact on Communities, and What Coalitions Can Do to Lessen that Impact

CSPI Center for Science in the Public Interest
Nutrition Action Healthletter
Alcohol Advertising: Its Impact on Communities, and What Coalitions Can Do to Lessen That Impact

Elegance and power to scholarship donations and sponsorships of local cultural and athletic events. Minority-owned television and radio stations, magazines and newspapers have become heavily dependent on alcohol advertising. Billboards for alcohol and tobacco are especially intrusive as they blanket minority neighborhoods more than others. A study of one Latino community found that children see as many as 60 alcohol ads on a one-way trip between school and home.

Minority advertising agencies hired by the alcohol companies play to the types of promotions that trigger response by minority drinkers. These promotions include sponsorships and advertising at sports, music and cultural events, and the use of minority superstars to do the promoting.

Although minority groups overall drink less than whites, the overall impact of alcohol use and abuse in the minority community is far more severe. A Department of Health and Human Services report states that minorities "suffer disproportionately from the health consequences of alcohol and appear to be at a disproportionately high risk for certain alcohol-related problems."

Action Steps for Coalitions

To be most effective in lessening the impact of alcohol advertising in your community, coalitions need to be informed.

Find out which state and/or local governmental body regulates the sale of alcohol in your community and what laws exist that govern the advertising and promotion of alcohol. Also, survey your local media, both print and broadcast, to determine the amount of alcohol advertising that appears locally. Determine, also, who owns and operates your local television and radio stations, magazines and newspapers and billboard companies.

The following is a checklist that coalitions and other community groups can follow to combat alcohol advertising.

- Contact the Federal Trade Commission [600 Pennsylvania Avenue, NW, Washington, DC 20580 (877) 382-4357] and Consumer Protection Division of your State’s Attorney General’s Office if you find alcohol advertising that appeals to underage persons and/or targets significant numbers of young people. For ads on radio and television, contact the Federal Communications Commission [445 12th Street, SW, Washington, DC 20554; (888) 225-5322] too. The FTC regulates advertising practices, and the FCC has jurisdiction over the broadcast media.

- Monitor the influx of liquor advertising on radio and television and encourage the FCC and the broadcast networks to continue to hold the line on such ads.

- Find and work with city officials and the city attorney’s office to pass and defend an ordinance that would reduce or eliminate alcohol billboard ads in the community.

- Visit the managers of local television and radio stations and encourage them to refuse or stop running ads for distilled products. At the very least, ask for (1) equal time on a public service show to discuss the issue; (2) time to present a guest editorial to express community concern about the expansion of liquor advertising; (3) a message discouraging underage drinking to follow liquor and beer ads.

- Find out when the broadcast licenses of local radio and television stations expire. Advise any station that runs liquor ads that your community coalition will recommend against license renewal because the station fails to meet its public interest responsibilities by airing liquors ads that encourage young people to drink.

- Write your Congressional representatives and ask them to support an FTC investigation of all alcohol advertising in the broadcast media.
ELEMENTS OF A MODEL ORDINANCE: REGULATING
ALCOHOL ADVERTISING IN YOUR COMMUNITY

"...in one Latino community, children see as many as 60 alcohol ads on a one-way trip between school and home."

Given children's high exposure to alcohol advertising in public areas, and the correlation between advertising and youth attitudes about alcohol, several communities nationwide have enacted or drafted ordinances to regulate both the placement and content of alcohol billboard advertising. While local government has little control over television, Internet and print advertising, it does have the ability to regulate billboard and other types of outdoor ads, such as signs attached to poles and sides of buildings.

The legal basis for regulation of alcohol billboard ads where children are present is the Supreme Court's recognition that children are unable to fully assess commercial messages. And since alcohol cannot be sold to children, they should not be targets of this particularly insidious form of advertising. To protect your local initiative against possible legal challenges, it helps to state clearly that the purpose of billboard regulation is "to promote the welfare and temperance of minors" and to adopt appropriate findings of fact to support that regulatory purpose.

The following are the four most important targets of billboard reform. The model ordinance specifically addresses the first two steps.

- Limit the alcohol industry's ability to promote alcoholic beverages in areas where children are often present, such as areas near schools, churches, playgrounds, and shopping centers.

- Implement a system of permits and fees. This provides the appropriate local governmental agency with a way to monitor and enforce the ordinance.

- Ban the erection of new billboards, regardless of content. Several communities have legislated this reform as a way of improving traffic safety and eliminating billboard "blight."

- Remove existing billboards. This can be a difficult process, but is feasible through amortization and purchase of billboards.

The following are some salient points from the model ordinance to be incorporated into your local initiative:

- The intention of the ordinance is to protect minors from the constant barrage of alcohol advertising and not to place excessive restrictions on retailers and distributors. Thus, it does not include, for instance, ads inside licensed premises, on vehicles that transport alcoholic beverages, or in commercial or industrial zones where kids are not usually present. Nor does the ordinance significantly impair the ability of adults to receive consumer information about alcoholic beverages.

- While public health messages about the hazards of alcohol and underage consumption sponsored by alcohol companies should be encouraged, those that link a positive commercial image, such as a recognized logo used in marketing alcoholic beverages, with the message should be restricted.

- In establishing a system of permits, fees and penalties, existing regulations should be considered. The new ordinance should provide for: identification plates issued by the local responsible agency attached to all billboards; the delegation of monitoring and enforcement of the ordinance to a specific local governmental agency; adequate staffing and resources to carry out the ordinance; and easy identification and removal of illegal billboards.

- In order for the ordinance to be effective, the responsible local agency must have a way to monitor outdoor ads and enforce their regulation. The issuance of permits and standardized I.D. plates not only allows the agency to enforce the ordinance and identify illegal billboards, it also provides the funds necessary to staff and run the responsible office.

- The model ordinance eliminates criminal penalties as these can greatly increase the cost of enforcement. Instead, civil fines should be imposed to punish violations and infractions of the ordinance. It is of particular importance that each day of violation constitutes a separate offense so there is an incentive for the violator to correct the infraction. In addition, other appropriate civil penalties, such as assessment of costs for legal action, should be considered.

- Finally, a date at which the ordinance is effective must be established. A waiver process is necessary in order to allow for pre-existing contracts and re-negotiation of those contracts.
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- Find concerned state legislators to introduce a bill restricting the placement of liquor ads on broadcast stations within the state.
- Work with your state Consumer Protection Agency to monitor liquor advertising in the state, especially its appeal to underage drinkers.
- Contact the Center for Media Education to discourage alcohol-related Web sites on the Internet, especially those that feature games, contests and cartoons that attract young people. Contact CME at www.cme.org or (202) 331-7833.
- Encourage colleges and universities in and around your community to prohibit alcohol consumption at cultural and athletic events, especially tailgate parties.
- Support college sports and other events at colleges and universities that give up beer advertising and sponsorship.
- Write beer companies and demand that they use older actors in their advertising and eliminate the use of youth-oriented music, themes and characters.
- Work with local organizations that organize events, concerts and festivals to find non-alcohol-related sponsors.
- Keep local media informed of your activities.

A Model Ordinance

On the preceding page is a summary of some of the most important points of a model ordinance, based on a successful Baltimore initiative. The summary is designed as a tool for developing regulation of billboard alcohol advertising in your community. If you would like more information about this important initiative and other alcohol advertising issues, please contact the Center for Science in the Public Interest (CSPI) at www.csipnet.org or (202) 332-9110, ext. 311.

SUMMARY

Combatting the constant barrage of alcohol advertising can seem like an uphill battle. Alcohol producers continually find new and creative ways that attract kids and minorities to their products, and many of their marketing techniques are difficult to regulate. However, the bad faith that the industry has shown in saturating segments of the population, namely young people and minorities, who are the most susceptible to the adverse effects of drinking, increases the need for coalitions and communities to take action to curb the detrimental and ubiquitous message that underage drinking is "cool." Various community groups, such as those in Providence, RI; Troy, MI; Baltimore; Cincinnati and Los Angeles, have led the way in regulating alcohol advertising by enacting ordinances which restrict alcohol billboards in areas where children are present. They have proven that the fight to protect children from these insidious messages is a battle that can be won.

Community Anti-Drug Coalitions of America is a membership-driven organization put in place to give anti-drug and drug-related violence coalitions technical assistance and support.

The purpose of the Strategizer Technical Assistance Manuals is to provide step-by-step guidance on various topics relevant to the work you do in your community each day. We know you are busy, so Strategizers are designed to be easy-to-use guides that help to streamline the planning process.

Strategizers cover such topics as long-range planning, board and staff development, development of media strategies, marketing planning, fundraising for coalition operations and programs, methods for engaging hard-to-reach populations, and more. For a current list of Strategizer Technical Assistance Manuals or for additional technical assistance on the topic covered in this Strategizer, contact the CADCA staff by writing to:

901 North Pitt Street, Suite 300
Alexandria, VA 22314

or call toll-free: 1-800-54-CADCA

Please notify CADCA regarding the technical assistance needs you may have. Your coalition is on the front line against the ravages of drugs, alcohol and violence.

Keep up the good work!