

# 2018 RESPONSIBILITY WHITE PAPER OUR COMMITMENT TO RESPONSIBILITY



[BeerInstitute.org/responsibility](http://BeerInstitute.org/responsibility)  
**BEER INSTITUTE**

# UNDERAGE DRINKING PREVENTION

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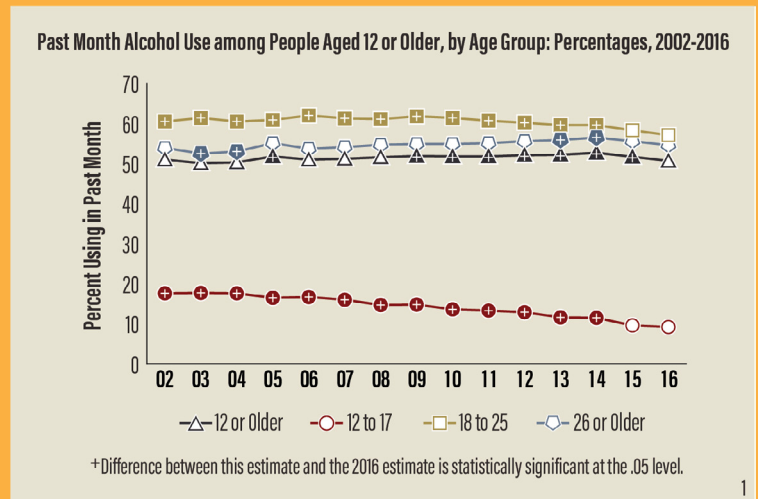
The U.S. beer industry has dedicated itself to preventing illegal underage drinking for more than three decades. While each company may differ in approach, the overall message is clear: the U.S. beer industry does not condone underage drinking.

We are heartened to see the steady decline of underage drinking over the last 15 years <sup>(1)</sup>. In particular, typical use drinking among teens has declined 53 percent since 1991, and is down from 19.9 percent just last year to a record-low level of 18.7 percent in 2018. Furthermore, binge drinking among 12th graders declined from 16.8 percent to 14 percent in 2018, which is a positive step <sup>(2)</sup>.

The U.S. beer industry will continue its efforts and joins with all stakeholders to strive for no illegal underage drinking.

The Beer Institute and its members want only those of legal drinking age to consume our products. To reduce illegal underage drinking, we focus on the following:

- ▶ [Ensuring advertising targets legal drinking age adults;](#)
- ▶ [Educating parents and other influencers;](#)
- ▶ [Encouraging responsible retailing; and,](#)
- ▶ [Encouraging responsibility on college campuses.](#)



## ENSURING ADVERTISING TARGETS LEGAL DRINKING AGE ADULTS

The U.S. beer industry has a dynamic practice of self-regulating our advertising that offers a successful model of public/private partnership. The Beer Institute and its members have created a voluntary [Advertising and Marketing Code](#) (Code) and a related set of [Advertising Buying Guidelines](#) that clearly define our industry guardrails.

This Code does not stand alone. There are two functioning oversight channels:

- ▶ The Beer Institute convenes an independent council of experts, the [Code Compliance Review Board](#) (CCRB), who oversee any consumer complaints not resolved by individual companies.
- ▶ The Federal Trade Commission (FTC) periodically issues orders to various industry members to evaluate past advertising periods to identify how well industry is complying. The FTC then reports to the public its findings and proposed recommendations.

For more information about our Code or the CCRB and its reporting, please visit [Alcohol Advertising & Marketing](#).

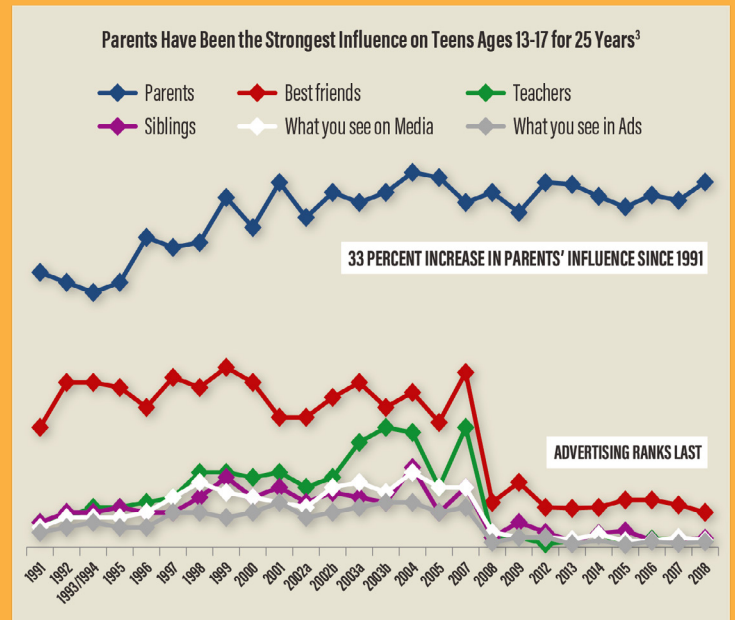


## EDUCATING PARENTS AND OTHER INFLUENCERS

For 25 years, research has shown parents are the strongest influence on teens' decisions about drinking. In fact since 1991, parent influence in this area increased by 33 percent <sup>(3)</sup>.

Over these same years, the U.S. beer industry shared this research with parents and provided information on how to speak with their kids about alcohol.

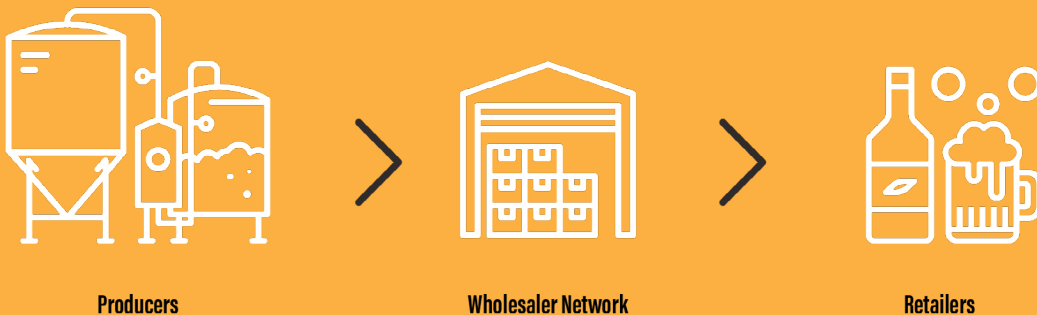
Parent-focused programs have ranged over time from printed brochures to more accessible web- and social media-driven content, and nearly always in partnership. In 2017, nearly 500,000 social engagements and more than 50 million impressions took shape through advice from medical professionals, community leaders, parents and other influencers. Over time, more than 3 million booklets have been circulated and programs have reached more than 120 million people.



## ENCOURAGING RESPONSIBLE RETAILING

The 2017 Youth Risk Behavior Surveillance reported that 43.5 percent of underage drinkers obtain alcohol from someone they know, also known as "social sourcing <sup>(4)</sup>." The Beer Institute and its members work to reduce illegal underage drinking through both amplifying responsibility community messages and encouraging legal and responsible sales.

The U.S. beer industry is composed of three tiers: beer producers work with a beer wholesaler network which then distributes products to retailers. These three tiers work together to ensure responsible retail messaging reaches consumers. Beer Institute members support retailers providing retail signage to remind consumers of the legal drinking age. In 2017, one such program provided more than 101,000 retailers with signage reminding their consumers that "We I.D."



In 2017, Beer Institute members also provided support to retailers through staff training. Alcohol server training programs, such as TIPS<sup>®</sup>, provide instruction on the safe and legal sale and service of alcohol. One brewer engaged its wholesalers and together provided training for more than 12,600 alcohol servers nationwide. Another brewer supported the roll-out of a statewide mandate that requires alcohol servers to receive specialized training in alcohol service. In 2017, this brewer joined with local hospitality associations to reach 6,500 retailers alerting them to the mandate and encouraging them to seek training, resulting in 400 retailers employees gaining certification quickly.

The Beer Institute and its members have worked for years with the Responsible Retailing Forum (RRF). RRF is a non-profit that brings together public and private stakeholders, including: regulatory and enforcement agencies; attorneys general; public health agencies and advocates; retailers and their associations; distributors and producers; and, researchers to collaborate on finding and promoting research-based best practices that help retailers and their communities prevent underage alcohol and tobacco sales and abuse. Our involvement in RRF has offered an exchange of ideas for solutions to these issues with a cross-section of views that is both unique and results in genuine shared best practices.

One brewer collaborates with the RRF to operate a large-scale program, Respect 21®. The program both encourages training and tests success via mystery shops and secret shoppers who provide retailers measured results on how to improve. Study results are conclusive: academic research has shown that the program, which spans 64 cities and 2,534 retailers, is a best practice for retailers. The [2015 evaluation results](#) demonstrate that the Respect 21® program has been successful in increasing ID-checking by both clerks and servers, is favorably viewed by the vast majority of retailers, and has stimulated broader community impacts<sup>(5)</sup>.

### **In 2017, the U.S. beer industry supported retailers:**

- ▶ **“We I.D.” messages reached 101,000 retailers.**
- ▶ **More than 12,600 alcohol servers were trained.**
- ▶ **State mandated training alerts reached 6,500 retailers.**
- ▶ **Results of server training and mystery shops shared with more than 2,500 retailers in 64 cities.**

While the U.S. beer industry has many corporate responsibility messages for the communities we serve, the Beer Institute and its members have collectively supported the Federal Trade Commission’s (FTC) community messaging, “We Don’t Serve Teens.” Along with a broad group of stakeholders, the U.S. beer industry promotes the “We Don’t Serve Teens” campaign each year. In 2017, the U.S. beer industry added 112.5 million impressions to the FTC’s community effort discouraging alcohol sales to or use by any person not of legal drinking age.

## **ENCOURAGING RESPONSIBILITY ON COLLEGE CAMPUSES**

Preventing underage drinking on college campuses is a complicated issue that Beer Institute members helped address for many years in a variety of ways.

***Beer Institute members offer grants to colleges and universities to implement and evaluate their own school-specific plans on college campuses. Grants cover programs that often require evaluation by third-party academic experts. Over time, more than 450 grants have provided millions of dollars to campus-specific programs, with 22 new awards granted in 2017.***

Beyond grants, one brewer offers a full slate of community speakers available for student presentations. In 2017, this resulted in more than 116,000 students and military personnel participating in 363 different community alcohol-focused presentations. In its 20th year, this program reached 4.8 million people through 14,677 community events on making smart and legal choices about alcohol.

Sporting events can also be an integral part of campus life. Game day means providing concessions to tens of thousands of fans of all ages in various sports arenas. For some campuses, this also includes alcohol service. The Beer Institute and its members have worked with the [TEAM Coalition](#) (TEAM) since its inception in 1985. TEAM collaborates with nearly every major sports league and their teams, training employees on responsible fan management, from security and training policies to responsible alcohol service and encouraging designated drivers. This broad look at responsible fan management is a best practice model that TEAM has shared with an increased number of campuses in recent years. TEAM supports college campuses grappling with game day fan management and has shown that sharing best practices among professional and collegiate sports organizations improves security, service, and the overall fan experience while reducing negative incidents. When comparing the first year of general admission service with TEAM training to the same location one year prior, TEAM reports lower incidents, fewer law enforcement calls, and reductions in ejections and alcohol citations. The U.S. beer industry supports TEAM every step of the way. The U.S. beer industry complements TEAM efforts with consumer-driven designated driver and responsible fan programs, such as providing free non-alcohol drinks to designated drivers or contests in which responsible fans can win sports team and other merchandise (e.g. ride share cards).

## References

- (1) **NSDUH - 2016 Research Results.** Substance Abuse and Mental Health Services Administration. (2017). Key substance use and mental health indicators in the United States: Results from the 2016 National Survey on Drug Use and Health (HHS Publication No. SMA 17-5044, NSDUH Series H-52). Rockville, MD: Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration. Retrieved from <https://www.samhsa.gov/data/>.
- (2) **Monitoring the Future.** Miech, R. A., Schulenberg, J. E., Johnston, L. D., Bachman, J. G., O'Malley, P. M., & Patrick, M. E. (December 17, 2018). "National Adolescent Drug Trends in 2018." Monitoring the Future: Ann Arbor, MI. Retrieved 12/19/2018 from <http://www.monitoringthefuture.org>.
- (3) **GfK Roper Report - Alcohol Stats.** Source: GfK Roper Youth Report. Americans age 13 - 17. Notes: 2008 - 2018: Media includes TV, radio, magazines, and Internet; 1991 - 2007: Media included TV only 1999 and 2001 surveys allowed the unaided response "no one/just know." Therefore, they cannot be compared to other years' data points. Starting in 2008, respondents could only choose one answer option for this question. Question: Which people or things, besides yourself, influence you the most or give you the best ideas about each of the following items?...Whether you drink alcohol or not.
- (4) **Youth Risk Behavior Survey, 2017.** Laura Kann, PhD; Tim McManus, MS; William A. Harris, MMI; Shari L. Shanklin, then et al. Youth Risk Behavior Surveillance – United States 2017. MMWR Surveill Summ 2018;67 (No. SS-#): Page 46, Table 100. Youth Risk Behavior Surveillance — United States, 2017. Laura Kann, PhD; Tim McManus, MS; William A. Harris, MMI; Shari L. Shanklin, MPH; Katherine H. Flint, MA; Barbara Queen, MS; Richard Lowry, MD; David Chyen, MS; Lisa Whittle, MPH; Jemekia Thornton, MPA; Connie Lim, MPA; Denise Bradford, MS; Yoshimi Yamakawa, MPH; Michelle Leon, MPH; Nancy Brener, PhD; Kathleen A. Ethier, PhD; Division of Adolescent and School Health, National Center for HIV/AIDS, Viral Hepatitis, STD, and TB Prevention, CDC, Atlanta, GA; 2 ICF International, Rockville, Maryland; 3 Westat, Rockville, Maryland. YRBSS 2017, Table 100, Page 46.
- (5) **Responsible Retailing Forum Research on Respect 21.** Public Policy and Responsible Retailing, An examination of how states and communities engage alcohol beverage licensees in Responsible Retailing practices (Rep.). (2017). Responsible Retailing Forum.

# DRUNK DRIVING PREVENTION

# DRUNK DRIVING\* PREVENTION

The Beer Institute and its members believe alcohol-impaired\* driving is 100 percent preventable. We communicate, advertise, and advocate for programming and policies that prevent drunk driving.

The U.S. beer industry reaches nearly every community in every state. From barley growers to bartenders, farmers to factory workers, the U.S. beer industry supports nearly 2.23 million American jobs in dozens of industries: manufacturing, agriculture, trucking, warehousing, grocery and the bar and restaurant business are just a few examples that relate directly to brewers. We are friends, neighbors, volunteers, and community activists who all want to keep our communities safe from drunk drivers.

The most recent data from the National Highway Traffic Safety Administration (NHTSA) reported 10,874 fatalities in alcohol-impaired driving crashes in 2017<sup>(1)</sup>. This is too many lives lost.

There are a few optimistic notes to share. In 1982, NHTSA reported that 48 percent of traffic fatalities were alcohol-impaired fatalities<sup>(2)</sup>. In 2017, alcohol-impaired fatalities accounted for 29 percent of 2017 overall fatalities, the lowest percentage since 1982 when NHTSA started reporting these figures<sup>(1)</sup>.

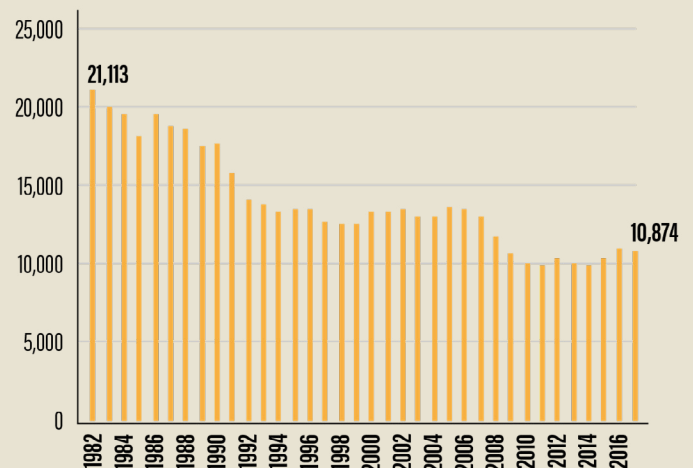
Additionally, NHTSA reported in 2016 that within the last 10 years, alcohol-impaired fatalities declined by more than 20 percent while vehicle miles traveled increased, even considering the two years during which these statistics increased somewhat<sup>(3)</sup>. Initial 2017 data shows a return to reductions with both a 1.8 percent reduction in overall fatalities and a 1.1 percent decrease in alcohol-impaired fatalities. However, fatalities are still too high and it is certainly clear more collective action is needed<sup>(1)</sup>.

The Beer Institute and its members have, and will continue to actively participate in the collective effort to address drunk driving. We focus our efforts in several areas:

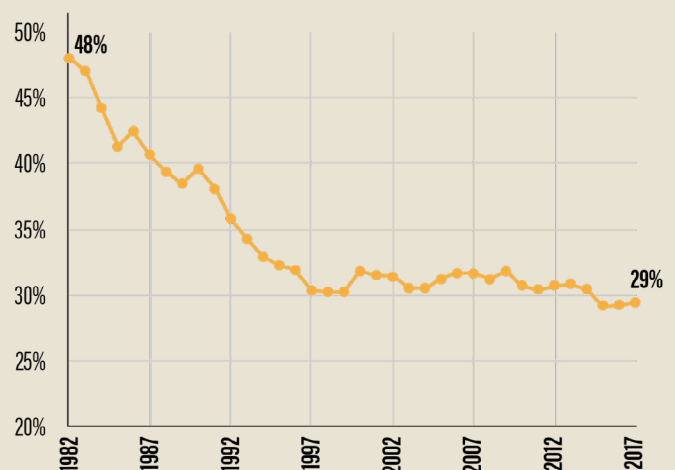
- ▶ [Public service messaging](#);
- ▶ [Encouraging use of designated drivers or alternative transportation](#);
- ▶ [Promoting responsible retailing](#); and,
- ▶ [Supporting effective policies](#).

\*This document defines "alcohol-impaired driving" and related "drunk driving" and related as those drivers with blood alcohol concentrations (BAC) above the legal limit of 0.08. This language is consistent with the National Highway Traffic Safety Administration, which stated in a recent report, "...any fatal crash involving a driver with a BAC of 0.08 g/dL or higher is considered to be an alcohol-impaired-driving crash, and fatalities occurring in those crashes are considered to be alcohol-impaired-driving fatalities. The term 'drunk driving' is used instead of alcohol-impaired driving in some other NHTSA communication and material."<sup>(3)</sup> This document will contain similar usages.

Fatalities Involving Alcohol-Impaired Drivers



Alcohol-Impaired Fatalities Compared to Total Traffic Fatalities





## PUBLIC SERVICE MESSAGING

For decades, the U.S. beer industry has released some of the nation's most iconic advertising, including public service campaigns. The 2017 publication of the Monitoring the Future study recognizes public service campaign impacts, reporting <sup>(4)</sup>:

***“We believe that the public service advertising campaigns in the 1980s against drunk driving, as well as those that urged use of designated drivers when drinking, contributed to the increase in perceived risk of binge drinking generally. Drunk driving by 12th graders declined during that period by an even larger proportion than binge drinking.”***

This good work continues today. Whether it is the familiar responsibility tagline that can be found on nearly all beer advertising or dedicated campaigns, the U.S. beer industry is sending a clear message to not over consume and to never drive drunk.

We have also worked collaboratively with the Ad Council, which since 1983 has created messages supported by a broad set of stakeholders to tackle the prevention of drunk driving. Most adults of legal drinking age will remember the now-classic “Friends Don’t Let Friends Drive Drunk” campaign released that year. Since that campaign’s launch, the Ad Council reports that more than 68 percent of Americans have tried to stop someone from driving after drinking to the point of impairment <sup>(5)</sup>.

The Beer Institute itself also plays a part to emphasize responsibility. In partnership with the National Association of Broadcasters, the Beer Institute conducts an annual public service announcement (PSA) campaign during the year-end holiday season. In 2017, nearly 60 elected members of Congress joined with America’s brewers and beer importers to urge Americans across the country to drink responsibly over the holiday season, and 96 participated in 2018. PSAs are recorded in Washington, D.C., and shared with local radio stations in home markets. The PSAs send a powerful message about keeping our roads safe: “Get a designated driver. Find a safe ride home. And have a safe and happy holiday.”

## ENCOURAGING USE OF DESIGNATED DRIVERS OR ALTERNATIVE TRANSPORTATION

The Beer Institute and its members support a wide range of efforts to promote designated drivers or to encourage the use of alternative transportation.

The Beer Institute and its members try to actively remove drunk drivers from the roads both directly and through a variety of partnerships with other organizations. There are a few common program types by industry over the years, such as:

- ▶ National ride share apps (e.g. Lyft or Uber);
- ▶ Free rides on mass transportation during holiday periods (e.g. Chicago Transit Authority trains);
- ▶ Local “Tow and Go” programs that bring the car and driver home; and,
- ▶ Community coalitions dedicated to drunk driving prevention.

One example of local community support from the U.S. beer industry is the [Washington Regional Alcohol Program](#) (WRAP) in the Washington, D.C. metro area, an organization that just celebrated its 36th year of consistent work to prevent drunk driving and underage drinking. WRAP is a non-profit organization with a board comprised of both public and private sector representatives that conducts programming, advocates for legislation/policy in the region, and maintains its SoberRide® program, which has provided more than 73,000 free safe rides home to would-be drunk drivers in the greater Washington area since 1991 <sup>(6)</sup>.

Research on and viewpoints about these alternative transportation programs have been mixed, ranging from evidence of reductions in drunk driving when ride sharing apps are introduced, to opponents inferring that safe rides encourage people to drink more. The Beer Institute and its members simply believe

this is a practical and pragmatic offering to consumers. Providing alternatives to consumers has become a common practice in the U.S. beer industry. Since 2011, the U.S. beer industry has connected consumers to mass transit, free/discounted rides, or other sources over 6.4 million times.

## PROMOTING RESPONSIBLE RETAILING

The U.S. beer industry is composed of three tiers: beer producers work with a beer wholesaler network, which then distributes products to retailers. These three tiers work together to get responsible retail messaging to consumers. Beer Institute members support retailers providing point-of-sale signage to remind consumers of legal drinking age. In 2017, one such program provided more than 101,000 retailers with signage to remind their consumers that “We I.D.”

In 2017, Beer Institute members also provided support to retailers through staff training. Alcohol server training programs, such as [TIPS®](#) provide instruction on safe and legal sale and service of alcohol. One brewer engaged its wholesalers and together supported training for more than 12,600 alcohol servers nationwide. Another brewer supported the roll-out of a statewide mandate that requires alcohol servers to receive specialized training in alcohol service. In 2017, this brewer joined with hospitality associations to reach 6,500 retailers alerting them to the mandate and encouraging them to seek training, resulting in 400 retail employees quickly gaining certification.

### Responsible Retailing - In 2017, the U.S. beer industry supported retailers:

- ▶ **“We I.D.” messages went to 101,000 retailers.**
- ▶ **More than 12,600 servers were trained.**
- ▶ **State mandated training alerts reached 6,500 retailers.**
- ▶ **Research that studied server training and mystery shops. Mystery shop results shared with more than 2,500 retailers in 64 cities.**

Since 1985 the Beer Institute and its members have supported the [TEAM Coalition](#) (TEAM), an alliance of professional sports, entertainment facilities, concessionaires, stadium service providers, the U.S. beer industry, broadcasters, governmental traffic safety experts, and others working together to promote responsible drinking and positive fan behavior at sports and entertainment facilities, at both the professional and collegiate levels. TEAM collaborates with nearly every major sports league and their teams, training employees on responsible fan management—from security and training policy to responsible alcohol service and encouraging designated drivers. The U.S. beer industry has been supporting TEAM with board participation, financial support of training, and extending fan management to fun and interactive consumer experiences encouraging designated drivers and responsible fans. In 2017, TEAM trained more than 50,000 people on responsible best practices in venues across the country. Since 2001, more than 530,000 have been TEAM trained. The U.S. beer industry challenges each fan to make a pledge to be a responsible fan or designated driver by participating in programming. In 2017, TEAM coordinated with Beer Institute members to provide Responsibility Has Its Rewards consumer programming at more than 100 events, collecting more than 725,000 pledges to be responsible.

The Beer Institute and its members have worked for years with the [Responsible Retailing Forum](#) (RRF). RRF is a non-profit organization that brings together public and private stakeholders, including regulatory and enforcement agencies; attorneys general; public health agencies and advocates; retailers and their associations; distributors and producers; and researchers facilitating collaboration to find and promote research-based best practices that help retailers and their communities prevent underage alcohol and tobacco sales and abuse. Our involvement in RRF has offered an exchange of concerns and ideas toward solutions with a cross-section of views that is both unique and genuinely develops shared best practices.

One brewer collaborates with RRF to operate a large-scale program with the RRF, Respect 21®. The program both encourages training and tests success through mystery shops providing retailers measured results on improvement. Study results are conclusive: academic research has shown that the program spanning 64 cities and 2,534 retailers is a best practice for retailers. The [2015 evaluation results](#) demonstrate that the Respect 21® program has been successful in increasing ID-checking by both clerks and servers, is favorably viewed by the vast majority of retailers, and has stimulated broader community impacts <sup>(7)</sup>.

While the U.S. beer industry sends many individual corporate and brand responsibility messages into the community, the Beer Institute and its members have collectively supported the Federal Trade Commission's community messaging, "We Don't Serve Teens." Along with a broad group of stakeholders, the U.S. beer industry promotes the "We Don't Serve Teens" campaign each year. In 2017, the U.S. beer industry added 112.5 million impressions to the FTC's community effort to reduce underage access to alcohol.

## SUPPORTING EFFECTIVE POLICIES

The U.S. beer industry has had a long history of supporting effective legislative and policy solutions to address drunk driving.

We are also considering new and adaptive solutions for local, state, and federal consideration to address drunk driving.

### ▶ **Administrative Response to Remove Drunk Drivers**

- ▶ The Beer Institute and its members are in favor of the effective administrative license suspension and/or revocation for all drivers arrested for DWI at the discretion of the judge or magistrate <sup>(8)</sup>. There should be swift and certain consequences for drunk drivers.

### ▶ **Consequences for First-time Offenders**

- ▶ The Beer Institute and its members are in favor of leveraging ignition interlocks to limit drunk drivers and encourage judicial review of this tool for those facing first-time offenses, so a first offense is also their last. Interlocks are highly effective in allowing a vehicle to be started by sober drivers, but not by alcohol-impaired drivers <sup>(9)</sup>.

### ▶ **Ignition Interlock for High BAC Offenders**

- ▶ The Beer Institute and its members support per se ignition interlock device for anyone convicted of drunk driving registering a 0.15 or higher blood alcohol concentration (BAC). Research shows that a vast majority, 67 percent, of alcohol-impaired fatalities involved drivers with 0.15 g/dL or higher BAC <sup>(9)</sup>.

### ▶ **Escalating Penalties for Repeat DWI Offenders**

- ▶ The Beer Institute and its members support the use of an ignition interlock device for any repeat DWI offender including escalating penalties for repeat offenders.

### ▶ **High Visibility Saturation Patrols Target Drunk Drivers**

- ▶ The Beer Institute and its members support saturation patrols, combined with other effective and constitutional means of apprehending drunk drivers <sup>(8)</sup>. Saturation patrols involve concentrated enforcement efforts in a specific geographic area, targeting high-volume neighborhoods to identify and arrest drunk drivers. The publicity surrounding such enforcement is also an effective tool to deter drunk driving longer-term and educates consumers about the importance of responsible behavior <sup>(8)</sup>.

### ▶ **Increasing the Number of DUI/DWI Courts, Using the NCDWI Courts 10 Guiding Principles**

- ▶ The Beer Institute and its members support the DWI court system, as it has proven effective in a number of states in reducing repeat offenses. Judges and prosecutors in DWI courts are trained to understand the needs of chronic offenders and to utilize sentencing alternatives that combine strict monitoring of sobriety with treatment and rehabilitation. This approach addresses the causes of drunk driving directly, and has shown proven reductions in recidivism <sup>(8)</sup>.

In addition to these policies, we have long supported effective initiatives that also contribute to highway traffic safety. The Beer Institute and its members have long supported zero tolerance for underage drivers, graduated drivers licensing systems<sup>(10)</sup> and primary seat belt laws<sup>(11,12)</sup>.

The U.S. beer industry supports public service messaging, responsible retailing and effective deterrence policies, many noted within NHTSA's "Countermeasures That Work."<sup>(8)</sup> We are pleased our work has contributed to long-term declines and will continue to actively communicate and promote programming to reduce drunk driving.

## References

- (1) [NHTSA's National Center for Statistics and Analysis, TRAFFIC SAFETY FACTS Research Note, October 2018](#). National Center for Statistics and Analysis (2018, October). 2017 fatal motor vehicle crashes: Overview. (Traffic Safety Facts Research Note. Report No. DOT HS 812 603). Washington, DC: National Highway Traffic Safety Administration.
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- (3) [NHTSA's National Center for Statistics and Analysis Traffic Safety Facts, 2016 Data - October 2017, DOT HS 812 450](#). National Center for Statistics and Analysis. (2017, October). Alcohol-impaired driving: 2016 data (Traffic Safety Facts. Report No. DOTHS 812 450). Washington, DC: National Highway Traffic Safety Administration.
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- (5) [Buzzed Driving, Ad Council - 2005-2011](#). The Ad Council. (n.d.). Making a Difference - Drunk Driving Prevention, Buzzed Driving Prevention (2011). Retrieved November 12, 2018, from [https://www.adcouncil.org/content/download/1909/17291/version/1/file/CaseStudy\\_BuzzedDriving.pdf](https://www.adcouncil.org/content/download/1909/17291/version/1/file/CaseStudy_BuzzedDriving.pdf)
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- (8) [Countermeasures that work, 2017](#). Richard, C.M., Magee, K., Bacon-Abdelmoteleb, P., & Brown, J. L. (2018, April). Countermeasures that work: A highway safety countermeasure guide for State Highway Safety Offices, Ninth edition (Report No. DOT HS 812 478). Washington, DC: National Highway Traffic Safety Administration.
- (9) [NHTSA's National Center for Statistics and Analysis Traffic Safety Facts, 2016 Data - October 2017, DOT HS 812 450](#). National Center for Statistics and Analysis. (2017, October). Alcohol-impaired driving: 2016 data (Traffic Safety Facts. Report No. DOTHS 812 450). Washington, DC: National Highway Traffic Safety Administration.
- (10) [IIHS - GDL Data](#). Insurance Institute for Highway Safety. (n.d.). Teenagers - Graduated driver licensing introduction. Retrieved from <https://www.iihs.org/iihs/topics/laws/graduatedlicenseintro?topicName=teenagers>
- (11) [NHTSA's Traffic Safety Facts, Research Note](#). Pickrell, T. M., & Li, R. (2016, November). Seat Belt Use in 2016—Overall Results (Traffic Safety Facts Research Note. Report No. DOT HS 812 351). Washington, DC: National Highway Traffic Safety Administration.
- (12) [NHTSA websites](#) - regarding seatbelts. National Highway Traffic Safety Institute. (n.d.). Responsible behavior BEING A RESPONSIBLE DRIVER IS SIMPLE— IF YOU ARE DRINKING, DO NOT DRIVE. Retrieved November 12, 2018, from <https://www.nhtsa.gov/risky-driving/drunken-driving> noting seat belt usage.

# ALCOHOL ADVERTISING & MARKETING



# ALCOHOL ADVERTISING & MARKETING

The Beer Institute and its members take beer advertising very seriously. Beer advertising is among the most iconic in the United States. Our industry is very competitive, yet there are some basic tenets to responsible advertising to which we have all agreed for 80 years. Since 1938, the U.S. beer industry has worked under a self-imposed advertising and marketing code of conduct <sup>(1)</sup>.

Many of the basic concepts from the original development remain the same--appropriate behavior and responsibility--but these are updated and adapted to changing times. The [Beer Institute Advertising and Marketing Code](#) (Code) is a dynamic model for self-regulation that adapts to both an ever-changing modern environment as well as consumer insights and government oversight.

The Code's design allows each company to individually review and address any complaint that may arise, while offering consumers an escalation channel for additional consideration from independent experts--all of which ensure we adhere to our voluntary Code.

The Beer Institute has also created a practical set of Buying Guidelines (Guidelines) to accompany its Code. These Guidelines provide a practical instruction for companies in an evolving media market. The most recent version was issued in November 2018, and updated a number of recommendations, including broadcast and digital media applications.

Well ahead of any advertising spot airing on the radio or television, the Code is activated. Each of the Beer Institute's member companies has its own individual company code in addition to complying voluntarily with the Beer Institute Advertising and Marketing Code. When a company's advertising teams begin to build their ads, teams from marketing, legal, and even outside agencies--each of which has been briefed to understand company guidelines and Beer Institute code rules--are involved. The Guidelines provide rules specifically offering direction as to where ads are chosen to air and clear rules that all ad placement aims for exposure to an audience of legal drinking age of at least 71.6 percent. This percentage was created as the 2010 U.S. Census set the 21 and older population in this country at 71.6 percent <sup>(2)</sup>.

Once ad spots are aired, they are open for critique by the public. Any concerns can be expressed directly to the company or through forms available on the Beer Institute website.

## HERE'S HOW IT WORKS:

The first step for any complaint is the sponsoring company. Even if the Beer Institute complaint form is utilized to air the complaint, the Beer Institute will give the company an opportunity to respond.

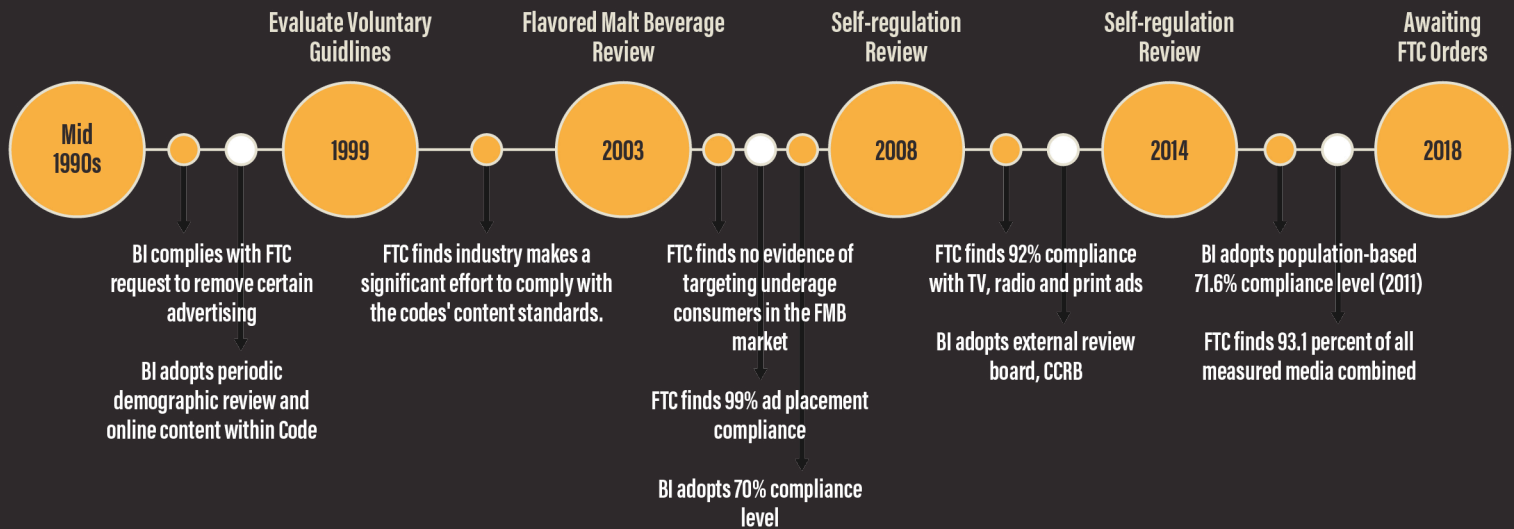


If the person filing the complaint is not satisfied with the company response, they may request review by the Code Compliance Review Board (CCRB) through the Beer Institute. This group of experts comes together periodically to review the complaint claims and provide guidance on whether the ad violates the Code. The final ruling, along with any company action, is shared with the filer of the complaint.

Every complaint reviewed by the CCRB since 2006 is [listed on the Beer Institute website](#), as well as an online complaint form for those who wish to file a complaint.

# IT IS A TESTED AND SUCCESSFUL MODEL

## Industry Self-Regulation Oversight History



The Federal Trade Commission (FTC) houses the Consumer Protection Agency (CPA), which is the primary government body that provides a periodic public review of alcohol industry advertising placement. Specifically, the CPA reviews the industry's adherence to our voluntary Code.

The Beer Institute and its members have long supported FTC review. With each review, the FTC shares the results of industry advertising and makes a series of recommendations for continued improvement. Following each review, the Beer Institute has reviewed these recommendations and updated the Code accordingly.

Over the years, the FTC has noted the updates made by the industry and continues to support the self-regulation model:

## 1999 REPORT

- ▶ In the mid-1990s FTC staff investigated the placement of beer ads on cable network programming that has majority underage audiences. The results showed that improvement was needed. The Federal Trade Commission shared that "The companies withdrew the ads from the programming at issue, and the Beer Institute adopted the requirement that demographic data be reviewed periodically to reduce the likelihood that the problem would recur."<sup>(3)</sup>
- ▶ "In 1997, FTC staff reviewed alcohol web sites, which some industry observers believed were potentially attractive to minors. At the time, it was unclear whether web sites were covered by the industry advertising codes." Responding to these concerns, the Beer Institute modified its Code to clarify that the Code applied to advertising online.<sup>(3)</sup>
- ▶ "In the last 10 years, the beverage alcohol industry has responded voluntarily to FTC staff investigations with changes to its codes." Further, the report noted, "It is clear that industry makes a significant effort to comply with the codes' content standards. Alcohol companies rely on internal marketing and legal personnel, or ad agencies, to identify ad copy that might appeal primarily to children."<sup>(3)</sup>

## 2003 REPORT

- ▶ In 2003 "House and Senate Appropriations Committees directed the FTC to study the impact on underage consumers of ads for new flavored malt beverages, and whether the beverage alcohol industry has implemented the recommendations contained in the Commission's 1999 report to Congress regarding alcohol industry self-regulation." The investigation found no evidence of targeting underage consumers in the [flavored malt beverage] FMB market. FMB marketers placed advertisements in conformance with the industry standard that at least 50 percent of the advertisement's audience consists of adults age 21 and over."<sup>(4)</sup>

- ▶ “The largest improvements have occurred in the area of ad placement. In 2002, the alcohol companies surveyed achieved 99 percent compliance with the standard that at least 50 percent of the relevant media audience be adults. More importantly, the industry now has committed to adhere to a 70 percent placement standard and to implement post-placement audits.”<sup>(4)</sup>

## 2008 REPORT

- ▶ “It is evident that the twelve major suppliers have engaged in good faith efforts to respond to the FTC’s earlier recommendations, implementing the 70 percent placement standard for print and broadcast media and adopting systems of external review.”<sup>(5)</sup>
- ▶ “In the first half of 2006, more than 85 percent of the aggregate audience for the twelve suppliers’ advertising consisted of adults above the LDA, although some individual companies’ aggregates were a few points lower.”<sup>(5)</sup>

## 2014 REPORT - MOST RECENT REPORT

- ▶ “The Commission continues to support self-regulation of alcohol marketing to reduce underage targeting.”<sup>(6)</sup>
- ▶ “Since 1999, the alcohol industry has substantially improved in self-regulation, including adoption on two occasions of higher placement standards, adoption of media buying guidelines and audit provisions, and adoption of systems for third-party review of advertising complaints.”<sup>(6)</sup>
- ▶ “In the first half of 2011, 93.1 percent of all measured media combined (including traditional media and online/other digital) met the alcohol industry’s placement standard at the time, which required that 70 percent or more of the audience viewing the ads be 21 years old or older, based on reliable data. Further, because compliance shortfalls were primarily in media with smaller audiences (such as local radio), over 97 percent of individual consumer exposures to alcohol ads were from placements meeting the 70 percent standard. The industry has since adopted a new ad placement standard requiring that 71.6 percent of the audience viewing alcohol ads be 21 years old or older.”<sup>(7)</sup>

For nearly two decades, the cooperative exchange with the FTC has made the U.S. beer industry Advertising and Marketing Code stronger. We look forward to a continued transparent and successful relationship, with orders expected in 2019.

## References

- (1) **Brewers Almanac.** The Brewers’ Code of Practice: 1946 Brewers Almanac.
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- (3) **Self-Regulation in the Alcohol Industry, FTC, 1999.** Evans, Janet M., Kelly, Ricard F. SELF-REGULATION in the ALCOHOL INDUSTRY A Review of Industry Efforts to Avoid Promoting Alcohol to Underage Consumers. Federal Trade Commission, 1999, SELF-REGULATION in the ALCOHOL INDUSTRY A Review of Industry Efforts to Avoid Promoting Alcohol to Underage Consumers. SELF-REGULATION in the ALCOHOL INDUSTRY, A Review of Industry Efforts to Avoid Promoting Alcohol to Underage Consumers, Federal Trade Commission, September 1999. SELF-REGULATION in the ALCOHOL INDUSTRY, A Review of Industry Efforts to Avoid Promoting Alcohol to Underage Consumers, Federal Trade Commission, September 1999
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- (5) **Self-Regulation of the Alcohol Industry, FTC, 2008.** Evans, J. M., Marcus, P., & Engle, M. K. (2008). Self-Regulation in the Alcohol Industry, Report of the Federal Trade Commission (United States, Federal Trade Commission). Washington, DC: Federal Trade Commission. Page 34.
- (6) **Self-Regulation of the Alcohol Industry, FTC, 2014.** Evans, J. M., Krainsky, E., Fentonmiller, K., & Brady, C. (2014). Self-Regulation in the Alcohol Industry, Report of the Federal Trade Commission (United States, Federal Trade Commission). Washington, DC: Federal Trade Commission. Page v, Page 34.
- (7) **Press Release of Self-Regulation of the Alcohol Industry, FTC, 3/20/14.** Federal Trade Commission, Bureau of Consumer Protection. (2014, March 20). FTC Releases Fourth Major Study on Alcohol Advertising and Industry Efforts to Reduce Marketing to Underage Audiences Study Shows Over 93 Percent Compliance with Placement Guidelines [Press release]. Retrieved November 12, 2018, from <https://www.ftc.gov/news-events/press-releases/2014/03/ftc-releases-fourth-major-study-alcoholadvertising-industry>

# CONSUMER INFORMATION

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The Beer Institute and its members have responded to the need for transparency demanded by the modern consumer. We believe that providing complete information about dietary information for each drink will better enable consumers to make informed choices for those who choose to when include alcohol beverages in their diet.

Transparency is important. A recent study, "The Transparency Imperative Product Labeling from the Consumer Perspective," reports that 93 percent of consumers say it is important for brands and manufacturers to provide detailed information about what is in food and how it's made. <sup>(1)</sup>

There are two primary examples currently in market that illustrate this transparency: menu labeling requirements for restaurants to disclose nutritional information, and the Brewers' Voluntary Disclosure Initiative.

## MENU LABELING

As of May 7, 2018, the U.S. Food and Drug Administration (FDA) requires retailers with more than 20 locations to provide nutrition information for items on their standard menus, including beer and other alcohol beverages, including cocktails and mixed drinks. The Beer Institute and its members support this disclosure and worked with the FDA to clarify industry requirements and coordinate the U.S. beer industry to ensure retailers have the correct information to comply with the law.

There is variability in both alcohol strength and calories in alcohol drinks. This fact is why we support listing the calories for each individual brand of beer, glass or bottle of wine, and each drink made with distilled spirits on an alcohol drink menu. We believe this information provides a good reference for consumers who choose to include alcohol beverages in their diets.

## BREWERS' VOLUNTARY DISCLOSURE INITIATIVE

In 2016, the Beer Institute and its members announced new, voluntary standards of nutrition disclosure that together will provide consumers clear facts right at their fingertips about the beers they enjoy.

By 2020, U.S. beer industry leaders including Anheuser-Busch, MillerCoors, HEINEKEN USA, Constellation Brands Beer Division, North American Breweries (dba FIFCO USA), and Craft Brew Alliance--which together produce more than 81 percent of the volume of beer sold in the United States--have agreed to follow these guidelines.

The Beer Institute [Brewers' Voluntary Disclosure Initiative](#) provides a consistent guideline for transparency in three key areas:

- ▶ Calorie, Alcohol by Volume (ABV), carbohydrate, protein, and fat on the primary label.
- ▶ Ingredients in products placed on either the label or secondary packaging, accessible via ingredient list, a reference to a website, or a QR code.
- ▶ Clearly display freshness or production dates.

More detailed information on Beer Institute support of menu labeling or its Brewers' Voluntary Disclosure Initiative can be found on the Beer Institute website, [BeerInstitute.org](http://BeerInstitute.org).

<b>Serving Facts</b>	
Serving Size	12 fl oz (355ml)
Servings Per Container	1
Amount Per Serving	
Alcohol by volume	4.2%
Calories	96
Carbohydrate	3.2g
Fat	0g
Protein	<1g

**Serving Facts:** Serving size: 12 fl oz (355ml); 1 servings/container.  
**Per Serving:** 4.2% ALC./VOL; Cal: 96; Carbs: 3.2g; Fat: 0g; Protein:<1g



## 93 percent of consumers say it is important for brands and manufacturers to provide detailed information about what is in food and how it's made. (FMI Study)

The complement to these two programs is provided by the [2015-2020 Dietary Guidelines for Americans](#) (Dietary Guidelines), developed for use by policymakers and nutrition and health professionals. The Dietary Guidelines are the cornerstone of nutrition policy in the United States, and provide some information on alcohol consumption. The U.S. beer industry believes that those consumers who choose to drink should do so in moderation. The Dietary Guidelines authors noted, "For those who choose to drink, moderate alcohol consumption can be incorporated into the calorie limits of most healthy eating patterns." The Dietary Guidelines provide the limits on the number of drinks for men and women that constitute moderate consumption. Practically, understanding what makes one drink (noted as a drink equivalent) can vary widely, in terms of both strength and calories. The Dietary Guidelines decode drink equivalents in a practical chart that outlines the differences between a series of typical drinks <sup>(2)</sup>.

Alcoholic Drink-Equivalents<sup>a</sup> of Select Beverages

Drink Description	Drink-Equivalents <sup>b</sup>
<b>Beer, beer coolers, and malt beverages</b>	
12 fl oz at 4.2% alcohol <sup>c</sup>	0.8
12 fl oz at 5% alcohol (reference beverage)	1
16 fl oz at 5% alcohol	1.3
12 fl oz at 7% alcohol	1.4
12 fl oz at 9% alcohol	1.8
<b>Wine</b>	
5 fl oz at 12% alcohol (reference beverage)	1
9 fl oz at 12% alcohol	1.8
5 fl oz at 15% alcohol	1.3
5 fl oz at 17% alcohol	1.4
<b>Distilled spirits</b>	
1.5 fl oz 80 proof distilled spirits (40% alcohol) (reference beverage)	1
Mixed drink with more than 1.5 fl oz 80 proof distilled spirits (40% alcohol)	> 1 <sup>d</sup>

<sup>a</sup> One alcoholic drink-equivalent is defined as containing 14 grams (0.6 fl oz) of pure alcohol. The following are reference beverages that are one alcoholic drink-equivalent: 12 fluid ounces of regular beer (5% alcohol), 5 fluid ounces of wine (12% alcohol), or 1.5 fluid ounces of 80 proof distilled spirits (40% alcohol). Drink-equivalents are not intended to serve as a standard drink definition for regulatory purposes.

<sup>b</sup> To calculate drink-equivalents, multiply the volume in ounces by the alcohol content in percent and divide by 0.6 ounces of alcohol per drink-equivalent. For example: 16 fl oz beer at 5% alcohol: (16 fl oz)(0.05)/0.6 fl oz = 1.3 drink-equivalents.

<sup>c</sup> Light beer represents a substantial proportion of alcoholic beverages consumed in the United States. Light beer is approximately 4.2% alcohol or 0.8 alcoholic drink-equivalents in 12 fluid ounces.

<sup>d</sup> Depending on factors, such as the type of spirits and the recipe, one mixed drink can contain a variable number of drink-equivalents.

The Beer Institute partnered with the American Society for Nutrition to develop another practical [reference](#) to clarify how drink equivalents can be incorporated into dietary patterns. The reference outlines the wide variability in alcohol drinks that a consumer may experience. We encourage nutritionists to share this reference widely, ensuring consumers understand how much alcohol is in the drinks they enjoy, and how to best consume moderately.

## U.S. beer industry members participating in the Brewers' Voluntary Disclosure Initiative produce more than 81 percent of the volume of beer sold in the United States.

The Beer Institute and its members continue to work to share both product information and how it relates in practice to those who choose to drink.

### References

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- (2) **2015-2020 Dietary Guidelines for Americans.** U.S. Department of Health and Human Services and U.S. Department of Agriculture. 2015 – 2020 Dietary Guidelines for Americans. 8th Edition. December 2015. Available at <https://health.gov/dietaryguidelines/2015/guidelines/>.