



# Inventory Alcohol Marketing Regulations

With this form STAP, the Dutch Institute for Alcohol Policy, would like to ask you to fill out information regarding alcohol marketing regulations in your country.

First, we will ask you to give an overview of the different alcohol marketing regulations that exist in your country. Next, some general questions about time bans and the monitoring system in your country will follow. Finally, we will ask you to fill out more specific questions per regulation. We have included separate Regulation Forms for this part of the questionnaire. For each alcohol marketing regulation that exists, please fill out a separate Regulation Form (please let the number of the form correspond with the number in the table on page 1 of this questionnaire, where you summarized all existing regulations).

Thank you very much for participating and providing the data!

<b>Organization:</b>	Danish Alcohol Policy Network
<b>Country:</b>	Denmark
<b>Date:</b>	27-08-2009

## 1. Overview Alcohol Marketing Regulations

Below, please fill out all regulations on alcohol advertisement and alcohol sponsorship and promotion that exist in your country.

*\*With Coverage we would like to know which types of alcohol marketing are being covered by the regulation (e.g. cinema, digital media, event sponsoring, outdoor, print, promotional items, radio, tv, sport sponsoring, etc.)*

Alcohol Marketing Regulations Questionnaire

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No.	Name Regulation (original)	Name Regulation (English translation)	Date latest update	Link to original text	Type of Regulation	Coverage*
1.	Regler om markedsføring af alkoholholdige drikkevarer	Regulations of marketing alcoholic beverages	01-03-2000	<a href="http://www.oem.dk/publikationer/diverse/alkohol.pdf">http://www.oem.dk/publikationer/diverse/alkohol.pdf</a>	<input type="checkbox"/> Statutory/ Legal <input checked="" type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input checked="" type="checkbox"/> Tv <input checked="" type="checkbox"/> Radio <input checked="" type="checkbox"/> Cinema <input checked="" type="checkbox"/> Sponsoring <input checked="" type="checkbox"/> Internet / digital media <input checked="" type="checkbox"/> Outdoor <input checked="" type="checkbox"/> Print <input checked="" type="checkbox"/> Prom. Items <input checked="" type="checkbox"/> Other, namely: Product
2.	Bekendtgørelse om reklame og sponsorering i radio og fjernsyn	Order on advertising and sponsorship on radio and television	15-12- 2005	<a href="https://www.retsinformation.dk/Forms/R0710.aspx?id=11973">https://www.retsinformation.dk/Forms/R0710.aspx?id=11973</a>	<input checked="" type="checkbox"/> Statutory/ Legal <input type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input checked="" type="checkbox"/> Tv <input checked="" type="checkbox"/> Radio <input type="checkbox"/> Cinema <input type="checkbox"/> Sponsoring <input type="checkbox"/> Internet / digital media <input type="checkbox"/> Outdoor <input type="checkbox"/> Print <input type="checkbox"/> Prom. Items <input type="checkbox"/> Other, namely:
3.	Lov om markedsføring	Law on marketing	31-08-2009	<a href="https://www.retsinformation.dk/Forms/R0710.aspx?id=31600">https://www.retsinformation.dk/Forms/R0710.aspx?id=31600</a>	<input checked="" type="checkbox"/> Statutory/ Legal <input type="checkbox"/> Non-statutory/ Self regulation <input type="checkbox"/> Co-regulation	<input checked="" type="checkbox"/> Tv <input checked="" type="checkbox"/> Radio <input checked="" type="checkbox"/> Cinema <input checked="" type="checkbox"/> Sponsoring <input checked="" type="checkbox"/> Internet / digital media <input checked="" type="checkbox"/> Outdoor <input checked="" type="checkbox"/> Print <input checked="" type="checkbox"/> Prom. Items <input checked="" type="checkbox"/> Other, namely: Product

## 2. Watersheds / Time bans

We would like to know more about time bans or watersheds in your country on alcohol marketing on TV, radio and in the cinema. Also if no alcohol advertising is allowed at all for this type of medium, please indicate.

Time ban on TV?		
1	Is there a watershed (time ban) for alcohol advertising on <b>TV</b> in your country?	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No → go to question 6
2	In which regulation is the TV time ban embedded?	
3	Is sponsorship of TV <i>programmes</i> during this watershed still permitted? (e.g. a movie or soap series sponsored by an alcohol producer)	<input type="checkbox"/> Yes <input type="checkbox"/> No
4	Is sponsorship of <i>events</i> that are televised during this watershed still permitted? (e.g. a football match sponsored by an alcohol producer).	<input type="checkbox"/> Yes <input type="checkbox"/> No
5	Are Corporate Social Responsibility messages of an alcohol producer still permitted on TV during the watershed? (e.g. 'Drink Responsibly' campaigns).	<input type="checkbox"/> Yes <input type="checkbox"/> No
Time ban on radio?		
6	Is there a watershed (time ban) for alcohol advertising on the <b>radio</b> in your country?	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No → go to question 11
7	In which regulation is the radio time ban embedded?	
8	Is sponsorship of radio <i>programmes</i> during this watershed still permitted? (e.g. a radio program sponsored by an alcohol producer)	<input type="checkbox"/> Yes <input type="checkbox"/> No
9	Is sponsorship of <i>events</i> that are broadcast on the radio during this watershed still permitted? (e.g. a football match sponsored by an alcohol producer).	<input type="checkbox"/> Yes <input type="checkbox"/> No
10	Are Corporate Social Responsibility messages of an alcohol producer still permitted on the radio during the watershed? (e.g. 'Drink Responsibly' campaigns).	<input type="checkbox"/> Yes <input type="checkbox"/> No
Time ban in the cinema?		
11	Is there a watershed or ban on alcohol advertising in the <b>cinema</b> in your country?	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No → go to next part (3)
12	In which regulation is the cinema time ban embedded?	

### 3. Monitoring system

We would like to know more about organizations that monitor the adherence to alcohol marketing (regulations) in your country.

Please fill out in the table below as many organizations you know in your country that monitor whether (part of) the alcohol marketing regulations are being adhered to by the parties that the regulations concern (e.g. alcohol producers, broadcasters, etc).

We are interested in the monitoring of statutory as well as non-statutory regulations or co-regulation.

*\* In the final column you can indicate which types of data are used by the monitoring organization. Where do the data come from? You can select multiple options if necessary.*

Name organization	Which regulation is/are monitored?	Independent from commercial interests?	Official part of the regulation system?	Monitoring routinely/systematically ?	Includes marketing other than on TV, radio, print or outdoor?	Source data used:*
Danish Alcohol Policy Network	Regulations of marketing alcoholic beverages/ The Law of Marketing/ Order on advertising and sponsorship on radio and television	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Academic organization <input type="checkbox"/> Advertising sector <input type="checkbox"/> Alcohol industry <input type="checkbox"/> Government <input type="checkbox"/> Own inventarisation <input checked="" type="checkbox"/> Public health NGO <input type="checkbox"/> Research agency <input type="checkbox"/> Other, namely:



## Regulation Form No. 1

<b>Organization:</b>	Danish Alcohol Policy Network
<b>Country:</b>	Denmark
<b>Date:</b>	28-08-2009

Below, please indicate the name of Regulation No. 1 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

<b>Name Regulation No. 1:</b>	Regulations of marketing alcoholic beverages
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising:  Alcohol Marketing:
How many articles about alcohol advertising/marketing does Regulation No. 1 contain?	7

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 1. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

*\* To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

*\*\*The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Alcohol Marketing Regulations Questionnaire

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Article (paragraph)*	Type of restriction**	Text article
1	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Regelsættet finder anvendelse på markedsføring af alle alkoholholdige drikkevarer med 2,8 volumenprocent alkohol svarende til 2,25 vægtprocent eller derover. Markedsføring af alkoholholdige drikkevarer med under 2,8 volumenprocent må ikke kunne forveksles eller spille sammen med almindelig alkoholmarkedsføring.</p> <p>English translation: This regulation applies to marketing of all alcoholic beverages, which contain 2, 8 per cent alcohol by volume or more, corresponding to 2, 25 alcohol by weight or more. Marketing of beverages below 2, 8 per cent alcohol by volume must not be confused nor interact with regular alcohol marketing.</p>

<p>3</p>	<p><input checked="" type="checkbox"/> Volume  <input checked="" type="checkbox"/> Content  <input type="checkbox"/> Both  <input type="checkbox"/> Other,  namely:</p>	<p>Original text: Markedsføringen bør ikke fremtræde eller virke påtrængende, provokerende eller på anden måde særligt overtalende. Markedsføringen må ikke give indtryk af, at et vist forbrug kan være sundt, kan give succes eller kan forbedre forbrugernes mentale eller fysiske formåen. Markedsføring af alkoholholdige drikkevarer må ikke opfordre til et stort eller umådeholdent forbrug og må ikke fremstille afholdenhed eller moderat forbrug på nedsættende måde.</p> <p>Markedsføring må ikke finde sted på arbejdspladser, på højere læreanstalter og tilsvarende uddannelsesinstitutioner. I det omfang der er givet bevilling eller lejlighedsstilladelse til udskænkning af alkoholholdige drikkevarer på disse steder, kan markedsføring i forbindelse hermed dog finde sted, såfremt den begrænses til det praktisk nødvendige. Markedsføringen må ikke vise indtagelse af alkoholholdige drikkevarer på arbejdspladser, på højere læreanstalter og tilsvarende uddannelsesinstitutioner.</p> <p>Markedsføringen må ikke forbinde indtagelse af alkoholholdige drikkevarer med en risikofyldt adfærd som fx bilkørsel, betjening af potentielt farlige maskiner eller udførelse af andre potentielt farlige aktiviteter. Ved markedsføringen bør de erhvervsdrivende ikke benytte personer, hvis udtalelse eller fremtræden vil have en særlig vægt i kraft af personens position eller stilling i samfundet.</p> <p>English translation:  The marketing should not appear intrusive, provocative or in other ways persuasive. Marketing must not give the impression that a certain measure of alcohol intake can be good for health, can lead to success or improve the consumers' mental or physical capacity. Marketing alcoholic beverages must not encourage excessive consumption and portray abstinence or moderation in a derogative way.</p> <p>Marketing must not take place in workplaces, institutions for higher education or the like. If a serving licence is granted – occasionally or permanently – marketing is permitted to take place in connection with this, if kept to a practically minimum. Marketing must not show alcohol intake in workplaces, institutions for higher education or the like.</p> <p>Marketing must not link intake of alcoholic beverages with risky behaviour such as driving, operating dangerous machines, or other potentially dangerous activity. The business should not employ persons in marketing, whose statements or emergence will carry a special weight because of the person's position in society.</p>
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Alcohol Marketing Regulations Questionnaire

Article (paragraph)	Type of restriction	Text article
5	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text:            Markedsføringen af alkoholholdige drikkevarer må, uanset hvilken form den antager, ikke rette sig mod børn og unge.            Kommentar: Børn/unge og alkohol hører ikke sammen. Det er derfor vigtigt, at de erhvervsdrivende indretter markedsføringen af alkoholholdige drikkevarersåledes, at der ikke sendes forkerte signaler til de unge om alkoholindtagelse.            Markedsføringen bør ligeledes medvirke til at understøtte det samfundsmæssigeønske om, at børn ikke drikker alkohol, og at unge ikke starter på alkoholindtagelse i en for tidlig alder.</p> <p>Ved markedsføring må de erhvervsdrivende ikke benytte personer, der på grund af deres unge udseende giver indtryk af, at unge mennesker drikker alkoholholdige drikkevarerMarkedsføringen af alkoholholdige drikkevarer må fx ikke</p> <ul style="list-style-type: none"> <li><input type="checkbox"/>finde sted på/i/ved skoler, gymnasier, daginstitutioner, legepladser, børne- og ungdomsklubber og andre institutioner, hvor størstedelen af brugerne er børn og unge,</li> <li><input type="checkbox"/>finde sted i forbindelse med begivenheder, fx biografforestillinger, der særligt retter sig mod børn og unge,</li> <li>-finde sted i medier, der særligt retter sig mod børn og unge,</li> <li>-finde sted i forbindelse med børne- og ungdomssider i skrevne såvel som elektroniske medier,</li> <li>-finde sted i form af sponsorering af begivenheder eller programmer, der særligt er rettet mod børn og unge,</li> <li>-vise rollemodeller, som specielt appellerer til børn og unge,</li> <li>-anvende billeder, personer, tegneserier eller ikoner, som specielt appellerer til børn og unge..</li> </ul> <p>English translation: Marketing of alcoholic beverages is not allowed, what ever means applied, to be targeted at children and young people.</p> <p>Comment:            Children/young people and alcohol do not belong together. For this reason it is important that the businesses arrange their marketing in a way that does not send the wrong signals on alcohol consumption to young people. Likewise marketing should contribute to support the interests of society; that children do not drink alcohol and that young people do not start alcohol consumption too young at age.</p> <p>Marketing of alcoholic beverages is for instance not allowed:</p> <ul style="list-style-type: none"> <li>-to take place in or near by public schools, high schools, kindergartens, play grounds, children's and young peoples clubs or other institutions with a majority of children and young people,</li> <li>- to take place in connection with events, for instance cinema shows, which are specifically targeted at children and young people,</li> <li>- to take place in medias, which are specifically targeted at children and young people,</li> <li>- to take place in magazines or on websites, which are specifically targeted at children and young people,</li> <li>- to take the form of sponsorship of events, which are specifically targeted at children and young people,</li> <li>-to use role models with a special appeal to children and young people,</li> <li>- to use pictures, figures, comics or icons with a special appeal to children and young people.</li> </ul>



Article (paragraph)	Type of restriction	Text article
6	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Markedsføringen af alkoholholdige drikkevarer må ikke forbindes med sport og idræt.            Markedsføring af alkoholholdige drikkevarer må fx ikke            -finde sted i sportsklubber, i sportshaller og på sportspladser, (dog kan der i sportshaller og på sportspladser som hidtil anbringes bande- og vægreklame for alkoholholdige drikkevarer),            -finde sted i blade, der især omhandler sport,            -i forbindelse med sportssider i skrevne såvel som elektroniske medier,            -afbilde sportssituationer eller idrætsudøvelse, herunder sportsstjerner.            -finde sted på personlige sportsrequisitter, herunder sportsbeklædning            (dog er det tilladt at anvende firmanavn/logo på personlige sportsrequisitter og -beklædning til voksne sportsudøvere, såfremt firmanavnet/logoet ligeledes relaterer sig til produktion, salg eller distribution af ikke-alkoholholdige produkter).</p> <p>Forbudet mod at forbinde alkoholholdige drikkevarer med sport og idræt er ikke til hinder for, at en erhvervsdrivende, der sponsorerer en idrætsbegivenhed, fortsat kan markedsføre dette, såfremt det sker i overensstemmelse med principperne i dette regelsæt.            I det omfang en erhvervsdrivende har fået bevilling eller lejlighedstilladelse til udskænkning af alkoholholdigt drikkevarer i/ved sportshaller og -pladser eller ved idrætsbegivenheder, bør markedsføring af udskænkningen begrænses til det praktisk nødvendige..</p> <p>English translation: Marketing of alcoholic beverages must not be linked with sport. Marketing of alcoholic beverages must not:            - take place in sports clubs, in sports arenas or by sports grounds,            - take place in magazines, which especially deal with sports, or in connection with sport pages or websites on sports,            - depict sporting events or sports exercise, including sport stars,            - be found on personal sport requisites, including sports clothing            (However it is still allowed to print the name or logo on personal sports requisites and adults sports clothing, provided that the name of the firm or the logo also relates to production, sale or distribution of non-alcoholic beverages).</p> <p>Comment:            Linking alcoholic beverages with sports is banned. Nevertheless businesses, which sponsor sports events, can continue to market this, if it takes place in accordance with the principles of this regulation.</p> <p>Businesses, which have obtained alcohol license - permanently or occasionally – in or by sport arenas, sport grounds and sporting events should limit alcohol marketing to a practically minimum.</p>

Next, we have some general questions about Regulation No. 1.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No <input type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: editorial pieces (all marketing without a clear indication that the alcohol industry is the sender) <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input checked="" type="checkbox"/> Alcohol producers <input checked="" type="checkbox"/> Retailers <input checked="" type="checkbox"/> Catering & Hospitality service <input checked="" type="checkbox"/> Alcohol distributors/Wholesalers <input checked="" type="checkbox"/> Broadcasters/Publishers <input checked="" type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

\* The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.

\*\* A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast/published.

<b>How publicly available?</b>		
4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:

Alcohol Marketing Regulations Questionnaire

5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input type="checkbox"/> Yes, see www. <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input checked="" type="checkbox"/> Other, namely: Our own website, www.bad-ad.dk, has published some of our complaints.
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see <a href="http://www.alkoholreklamenaevn.dk/default.asp?pid=9&amp;afg=88">www.alkoholreklamenaevn.dk/default.asp?pid=9&amp;afg=88</a> <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input type="checkbox"/> Yes, see www. <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
<b>Pre-screening procedure</b>		
8	Is there a pre-screening procedure for the ads available? **	<input type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input checked="" type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:
<b>Complaint system</b>		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to:  <input type="checkbox"/> I was not able to find this. I searched in the following sources: <input type="checkbox"/> Other, namely:





## Regulation Form No. 2

<b>Organization:</b>	Danish Alcohol Policy Network
<b>Country:</b>	Denmark
<b>Date:</b>	31-08-2009

Below, please indicate the name of Regulation No. 2 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

<b>Name Regulation No. 2:</b>	Order on advertising and sponsorship on radio and television
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising:  Alcohol Marketing:
How many articles about alcohol advertising/marketing does Regulation No. 2 contain?	2

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 2. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

*\* To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

*\*\*The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Alcohol Marketing Regulations Questionnaire

Article (paragraph)*	Type of restriction**	Text article
§ 6	<input type="checkbox"/> Volume <input type="checkbox"/> Content <input type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: alcohol ads as such	<p>Original text: Reklamer for alkohol, ikke-receptpligtige lægemidler samt kosttilskud må ikke placeres i tilknytning til programmer henvendt til mindreårige.</p> <p>English translation: Advertisements for alcoholic, non-prescription medicines and dietary supplements should not be placed in relation to programs aimed at minors.</p>
§ 13	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Reklamer for alkoholholdige drikkevarer skal overholde følgende regler:</p> <ol style="list-style-type: none"> <li>1) De må ikke specielt henvende sig til mindreårige og må især ikke vise mindreårige, der indtager alkohol.</li> <li>2) De må ikke forbinde indtagelse af alkohol med øgede fysiske præstationer eller bilkørsel.</li> <li>3) De må ikke skabe det indtryk, at indtagelsen af alkohol bidrager til succes på det sociale eller seksuelle område.</li> <li>4) De må ikke antyde, at alkohol har terapeutiske egenskaber, at den virker stimulerende eller beroligende, eller at den kan bruges til at løse personlige konflikter med.</li> <li>5) De må ikke tilskynde til umådeholden indtagelse af alkohol eller fremstille afholdenhed i et negativt lys.</li> <li>6) De må ikke lægge særlig vægt på et højt alkoholindhold som en positiv kvalitet ved drikkevaren.</li> </ol> <p>English translation: Advertisements for alcoholic beverages must comply with the following rules:</p> <ol style="list-style-type: none"> <li>1) They must not be aimed specifically at minors and may especially not show minors consuming alcohol.</li> <li>2) Do not link the consumption of alcohol to enhanced physical performance or driving.</li> <li>3) Do not create the impression that alcohol consumption contributes to the success of social or sexual area.</li> <li>4) Do not claim that alcohol has therapeutic qualities that it is a stimulant or sedative, or it can be used to resolve personal conflicts.</li> <li>5) Do not encourage immoderate consumption of alcohol or present abstinence in a negative light.</li> <li>6) Do not place special emphasis on high alcoholic content as a positive quality of the drink.</li> </ol>

Next, we have some general questions about Regulation No. 2.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No <input type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: All marketing practices besides radio and tv advertising and sponsoring <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input checked="" type="checkbox"/> Alcohol producers <input checked="" type="checkbox"/> Retailers <input type="checkbox"/> Catering & Hospitality service <input checked="" type="checkbox"/> Alcohol distributors/Wholesalers <input checked="" type="checkbox"/> Broadcasters/Publishers <input checked="" type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

*\* The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.*

*\*\* A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast / published.*

**How publicly available?**

4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
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Alcohol Marketing Regulations Questionnaire

5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see <a href="http://www.bibliotekogmedier.dk/medieomraadet/radio-og-tv/radio-og-tv-naevnet/aarsberetninger/">www.bibliotekogmedier.dk/medieomraadet/radio-og-tv/radio-og-tv-naevnet/aarsberetninger/</a> <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see <a href="http://www.bibliotekogmedier.dk/medieomraadet/radio-og-tv/radio-og-tv-naevnet/aarsberetninger/">www.bibliotekogmedier.dk/medieomraadet/radio-og-tv/radio-og-tv-naevnet/aarsberetninger/</a> <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input type="checkbox"/> Yes, see <a href="#">www.</a> <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:

<b>Pre-screening procedure</b>		
8	Is there a pre-screening procedure for the ads available? **	<input type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input checked="" type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:



<b>Complaint system</b>		
11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to:  <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Radio- og tv-nævnet English translation: Radio and Television Board
13	What is the composition of the 'evaluating committee'?	Radio and Television Board, consisting of eight members appointed by the Minister of Culture and represent legal, financial / administrative, professional and media / cultural expertise.  President CEO Christian Scherfig Vice-President Professor Dr. LL.M. Jan Schans Christensen Associate Professor, Ph.D. Henrik Søndergaard CEO, MA. Anette Wad Professor, dr. LL.M. Caroline Heide-Jørgensen (new member) Professor, PhD Birgitte Holm Sorensen (new member) Journalist Gitte Rabølle (new member)  Chairman of the Cooperation Forum Danish listening and viewing Organizations Lars Peter Melchiorsen (new member)
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: Committee appointed by: The Minister of Culture
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:

16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input checked="" type="checkbox"/> Financial penalty between an undisclosed amount and euro <input type="checkbox"/> Other, namely:
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**Comments on Regulation No. 2:** About the availability of complaints and decisions: They exist, but there is no easy access to them, as a matter of fact they are rather difficult to find. Moreover they are very brief. This is a change from earlier, where the whole complaint, the whole decision as well as various letters from the industry were available (Those were the days!)

In practise the financial penalty is almost never given. The Board does not have jurisdiction to take someone to court (as does the Consumer Ombudsman), but can turn someone into the police, this is hardly ever done.



## Regulation Form No. 3

<b>Organization:</b>	Danish Alcohol Policy Network
<b>Country:</b>	Denmark
<b>Date:</b>	31-08-2009

Below, please indicate the name of Regulation No. 3 and provide the definition of alcohol advertising/alcohol marketing according to this regulation (if there is one).

<b>Name Regulation No. 3:</b>	Law on Marketing
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
What is the definition of alcohol advertising or alcohol marketing according to this regulation?	Alcohol Advertising:  Alcohol Marketing:
How many articles about alcohol advertising/marketing does Regulation No. 3 contain?	2

Please describe all the relevant articles on alcohol advertisement or sponsorships/promotion of Regulation No. 3. For each article we would like to ask you to fill out the original text (in your own language) as well as the English translation of the article.

*\* To describe more than one article within the regulation please fill out the desired number of rows in the table. The table is spread over multiple pages. Use as many rows as are necessary (you can leave the rest open).*

*\*\*The type of restriction can be on the volume of alcohol advertising (e.g. the advertising is not allowed to reach an audience consisting of > 25% minors) or it can be a content-related article (e.g. the ad is not allowed to display social/sexual success).*

After filling out the separate articles, please pay attention to the final questions about this regulation at the end of the Regulation Form.

Alcohol Marketing Regulations Questionnaire

Article (paragraph)*	Type of restriction**	Text article
§ 4	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: En reklame skal fremstå således, at den klart vil blive opfattet som en reklame uanset dens form og uanset, i hvilket medium den bringes.</p> <p>English translation: An advertisement must appear so, that it will be perceived as an advertising regardless of its form and regardless of what medium it is put.</p>
§ 8	<input type="checkbox"/> Volume <input checked="" type="checkbox"/> Content <input type="checkbox"/> Both <input type="checkbox"/> Other, namely:	<p>Original text: Markedsføring rettet mod børn og unge må ikke direkte eller indirekte opfordre til vold, anvendelse af rusmidler, herunder alkohol, eller anden farlig eller hensynsløs adfærd eller på utilbørlig måde benytte sig af vold, frygt eller overtro som virkemidler.</p> <p>English translation: Marketing aimed at children and adolescents may not directly or indirectly encourage violence, use of intoxicants, including alcohol, or other dangerous or reckless manner or in an improper way use of violence, fear or superstition as instruments.</p>

Alcohol Marketing Regulations Questionnaire

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Next, we have some general questions about Regulation No. 3.

1	Are there any regulations at the national or European level that are in conflict with this alcohol marketing regulation? (e.g. free trade agreements)	<input type="checkbox"/> Yes, namely: <input checked="" type="checkbox"/> No <input type="checkbox"/> I don't know
2	Are there marketing practises used in your country that are not covered by this regulation? (e.g. buzzmarketing, editorial pieces, Corporate Social Responsibility campaigns, direct marketing etc.)	<input checked="" type="checkbox"/> Yes, namely: editorial pieces <input type="checkbox"/> No, all marketing practices are covered
3	Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?	<input checked="" type="checkbox"/> Alcohol producers <input checked="" type="checkbox"/> Retailers <input checked="" type="checkbox"/> Catering & Hospitality service <input checked="" type="checkbox"/> Alcohol distributors/Wholesalers <input checked="" type="checkbox"/> Broadcasters/Publishers <input checked="" type="checkbox"/> Marketers/Advertising agency <input type="checkbox"/> Other, namely:

The final questions concern three topics: the public availability of the 'complaints', the pre-screening procedure and the complaint system.

*\* The 'evaluating committee' can be an Advertising Committee, but it can also be a judge, an ombudsman, a civil servant or another organization that handles complaints or indications of violations of the regulation.*

*\*\* A pre-screening system offers the possibility or obliges the advertiser to have the ads checked against the rules of the regulation before being broadcast /published.*

**How publicly available?**

4	Is the text of the regulation publicly available?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:
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5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see <a href="http://www.forbrug.dk/forbrugerombudsmanden/sager-og-retningslinjer/sager/markedsfoeringsloven-sager/2/">www.forbrug.dk/forbrugerombudsmanden/sager-og-retningslinjer/sager/markedsfoeringsloven-sager/2/</a> <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input checked="" type="checkbox"/> Other, namely: A description of cases, which is good but not showing them all.
6	Are the decisions of the 'evaluating committee' publicly available? *	<input checked="" type="checkbox"/> Yes, see <a href="http://www.forbrug.dk/forbrugerombudsmanden/sager-og-retningslinjer/sager/markedsfoeringsloven-sager/2/">www.forbrug.dk/forbrugerombudsmanden/sager-og-retningslinjer/sager/markedsfoeringsloven-sager/2/</a> <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input checked="" type="checkbox"/> Other, namely: A description of cases, which is good but not showing them all.
7	Is data about the compliance (after adjudication/verdict) publicly available?	<input checked="" type="checkbox"/> Yes, see <a href="http://www.forbrug.dk/forbrugerombudsmanden/sager-og-retningslinjer/sager/markedsfoeringsloven-sager/2/">www.forbrug.dk/forbrugerombudsmanden/sager-og-retningslinjer/sager/markedsfoeringsloven-sager/2/</a> <input type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:

<b>Pre-screening procedure</b>		
8	Is there a pre-screening procedure for the ads available? **	<input checked="" type="checkbox"/> Yes, for all media <input type="checkbox"/> Yes, but only available for the following media: <input type="checkbox"/> No → go to question 11 <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
9	Is the use of the pre-screening procedure voluntary?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, it is obligatory <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:

Alcohol Marketing Regulations Questionnaire

10	Is the decision according to the pre-screening binding for the stakeholders?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, compliance to the pre-screening decision is voluntary <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
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**Complaint system**

11	Can everybody file a complaint or point out a possible violation of the regulation?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, filing complaints is limited to:  <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
12	Which organisation is responsible for processing the complaints? <i>(please provide name in your own language and in English)</i>	Original name: Forbrugerombudsmanden English translation: The Consumer Ombudsman
13	What is the composition of the 'evaluating committee'?	It is not a committee, but the staff of the Consumer Ombudsmans office (mainly jurists)
14	Who is responsible for the composition of the 'evaluating committee'?	Committee elected by: Committee appointed by:
15	Do young people have a vote in the adjudication process?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> I was not able to find this. I searched in the following sources:  <input type="checkbox"/> Other, namely:
16	Which sanctions can the 'evaluating committee' apply? <i>(multiple answers are possible):</i>	<input type="checkbox"/> Recommendation <input type="checkbox"/> Public shaming (e.g. press release) <input type="checkbox"/> Restriction broadcasting rights <input checked="" type="checkbox"/> Financial penalty between an undisclosed amount and euro <input type="checkbox"/> Other, namely:

**Comments on Regulation No. 3:** All marketing practice are covered - in principle. But it does not really apply in practice, because all cases need to provide documentation, that the alcohol industry (in the broadest sense) is part of it. This means that for instance editorials in newspapers encouraging excessive drinking are impossible to prosecute, unless one can prove that the alcohol industry has actually been paying the journalist off or the like.