

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!

Organization:	AV-OG-TIL
Country:	norway
Date:	05.10.09

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.)*

No.	Name Regulation (original)	Name Regulation (English translation)	Date latest update	Link to original text	Type of Regulation	Coverage*
1.	LOV 1989-06-02 nr 27: Lov om omsetning av alkoholholdig drikk m.v. alkoholloven § 9-2, samt kap.9 i forskrift av 11 desember 1997 nr. 1292 om omsetning av alkoholholdig drikk mv.	Law 1989-06-02 number 27: The law about dealing of alcoholic drink and so on, § 9-2, and chapter 9 in regulations made 11 december 1997 number 1292 about dealing alcohol	2005. it's a hearing about some changes thees days. Date for hearing is 23. december	http://www.lovdato.no/all/hl-19890602-027.html	<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 type="checkbox"/> Other, namely: all forms of mass communication

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 TV in your country?	<input checked="" type="checkbox"/> Yes, namely: total ban <input 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> No
Time ban on radio?		
6	Is there a watershed (time ban) for alcohol advertising on the radio in your country?	<input checked="" type="checkbox"/> Yes, namely: total ban <input 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 checked="" 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 checked="" 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 checked="" type="checkbox"/> No
Time ban in the cinema?		
11	Is there a watershed or ban on alcohol advertising in the cinema in your country?	<input checked="" type="checkbox"/> Yes, namely: total ban <input 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:*
AV-OG-TIL	statutory and marketing connected to alcoholfree zones	<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 checked="" type="checkbox"/> Academic organization <input type="checkbox"/> Advertising sector <input checked="" type="checkbox"/> Alcohol industry <input checked="" type="checkbox"/> Government <input checked="" type="checkbox"/> Own inventarisation <input checked="" type="checkbox"/> Public health NGO <input checked="" type="checkbox"/> Research agency <input type="checkbox"/> Other, namely:
Everyone can report to the Healthdirecto rate		<input 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 type="checkbox"/> Public health NGO <input type="checkbox"/> Research agency <input type="checkbox"/> Other, namely:			



Regulation Form No. 1

Organization:	AV-OG-TIL
Country:	Norway
Date:	11.10.09

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).

Name Regulation No. 2:	LOV 1989-06-02 nr 27: Lov om omsetning av alkoholholdig drikk m.v. alkoholoven § 9-2, samt kap.9 i forskrift av 11 desember 1997 nr. 1292 om omsetning av alkoholholdig drikk mv.
Does the regulation provide a definition of alcohol advertising or alcohol marketing?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

<p>What is the definition of alcohol advertising or alcohol marketing according to this regulation?</p>	<p>Alcohol Advertising: any form of mass communication for marketing purposes including advertising in the printed text, film, radio, TV, Internet, posters, signs, images, exhibits, and distribution of printed matter and samples, and so on. See Alcohol Regulations § 14-2.</p> <p>The provision includes the marketing of alcoholic beverages to the consumer. This means that the positive reviews, and marketing of alcoholic beverages to the consumer is affected by the ban.</p> <p>Newspapers, magazines and other media's coverage of alcoholic beverages is editorial material which is not considered alcohol advertising and thus fall outside the prohibition of alcohol law .</p> <p>§ 9-2 first paragraph. Such media coverage is protected by the GRL. § 100 which protects freedom of speech.</p> <p>It is illegal to promote alcoholic beverages on the Internet for sites that are open to the public. If the website is restricted, with a password that only divulged to licensees or other employees in the industry, the product information and other marketing of alcohol could be published. The password must only be granted on request, be unique for each user and not eg a company name.</p> <p>As a rule, licensees can, as part of the normal turnover process, distribute product information, newsletters, e-mail, sms, advertising circulars, samples etc. to licensees and registered importers / wholesalers, of alcohol in accordance with Regulations § 14-3 No. 2 This type of information can go from an importer / wholesaler directly to resellers, such as sales or licenced sellers of alcohol.</p> <p>Alcohol Marketing:</p>
<p>How many articles about alcohol advertising/ marketing does Regulation No. 2 contain?</p>	

Alcohol Marketing Regulations Questionnaire

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.

Article (paragraph)*	Type of restriction**	Text article
	<input type="checkbox"/> Volume <input type="checkbox"/> Content <input checked="" type="checkbox"/> Both <input checked="" type="checkbox"/> Other, namely: any advertising in any media directed at the public	Original text: English translation:

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 checked="" type="checkbox"/> Yes, namely: There has been a trial in the "Vinforum-case (mutch the same as the swedish Gourmet-case). <input type="checkbox"/> No <input type="checkbox"/> I don't know
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2	<p>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.)</p>	<p><input checked="" type="checkbox"/> Yes, namely: First and foremost, we see that the editorial content of alcohol products has increased a lot. We see that the alcohol industry uses PR agencies, and sell things as redakjsonelt substance.</p> <p>There are also more wine tasting and events.</p> <p>We also see new social media like facebook is applied. It is difficult for authorities to keep track here. Moreover, it can be difficult to know whether the message is directed only against the Norwegian consumers. dotcom domains and the "closed network of friends" also limits the ability to intervene. There is also marketing directed at the bar-market to get brands promoted in the bars.</p> <p><input type="checkbox"/> No, all marketing practices are covered</p>
3	<p>Which stakeholders are addressed by the (articles about alcohol marketing/advertising of the) regulation?</p>	<p><input checked="" type="checkbox"/> Alcohol producers</p> <p><input checked="" type="checkbox"/> Retailers</p> <p><input checked="" type="checkbox"/> Catering & Hospitality service</p> <p><input checked="" type="checkbox"/> Alcohol distributors/Wholesalers</p> <p><input checked="" type="checkbox"/> Broadcasters/Publishers</p> <p><input checked="" type="checkbox"/> Marketers/Advertising agency</p> <p><input checked="" type="checkbox"/> Other, namely: importers / wholesalers / bars and other licensees, media or industry players</p>

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:
5	Are complaints or notifications/indications of possible violations of the regulation publicly available?	<input checked="" type="checkbox"/> Yes, see www.http://www.helsedirektoratet.no/rusmidler/alkoholloven/reklameforbudet/ <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 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: there is no committee. its just lawyers in the directorate
7	Is data about the compliance (after adjudication/verdict) 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: here is no committee. its just lawyers in the directorate. There is possible for the public to see the directorate processing.

Pre-screening procedure		
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:

Alcohol Marketing Regulations Questionnaire

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:
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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:Helsedirektoratet (national media) or the lokal authorities for lokal matters (bar-poster with alcohol ads) English translation: Health-directorate
13	What is the composition of the 'evaluating committee'?	?
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 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: no evaluation committee
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 and euro <input type="checkbox"/> Other, namely: