

Federal Trade
Commission
Protecting America's

Consumers

The European Union (EU) has adopted several directives seeking to harmonize the different laws of member states to foster the development of a common market. One of these directives sets out standards for regulating broadcast advertising, including the advertising of alcohol beverages. It provides in part:

Television advertising and teleshopping for alcoholic beverages . . . may not be aimed specifically at minors or, in particular, depict minors consuming these beverages.⁽¹⁾

For many years, member states have had in place their own restrictions on marketing alcohol beverages to underage consumers. Many of these restrictions, which they have retained, go beyond the EU directive. For example:

France bans alcohol beverage company sponsorships of sports events; prohibits alcohol ads on television; restricts the content of radio

ads that target those under 18 "either in terms of their style and content or in the selection of air time," and that the code proscribes ad placement on "programming of particular interest to under-18s." The guidance further provides that ads should not be shown immediately before, during or immediately after children's programs. It also states that "pop stars and professional sportsmen and sportswomen are unacceptable A personality may have particular appeal to those under 18 even if he or she also has a significant following among older groups," although personalities can be used "whose popularity with younger viewers is nothing more than a reflection of their broad general appeal to all ages." BACC Notes of Guidance, Section 4.9, ADVERTISING OF ALCOHOLIC DRINKS, available at <http://www.bacc.org.uk>.

15. European Advertising Standards Alliance, *supra* note 12, at 111.

16. See note 9, *supra*. Advertising Standards Canada also is responsible for handling public and competitor complaints regarding non-compliance