

A simple guide to responding to the Scottish Government consultation on prohibiting alcohol marketing

Introduction

This guide has been produced by the Scottish Alcohol Industry Partnership at the request of a number of our members and partner organisations, particularly small businesses with limited public affairs experience and capacity, to assist them in responding to the Scottish Government's consultation on prohibiting alcohol marketing.

At a meeting of alcohol industry representatives on 26th January 2023, Public Health Minister Maree Todd gave an assurance that all views submitted via the consultation process would be taken into account, and she asked that we actively encourage as many responses as possible from stakeholders across the industry.

It is not intended to be a definitive response to the consultation but to set out some of the key industry positions.

Every individual should read the consultation document carefully and give their own views on the questions that are most relevant to their business and/or situation, particularly any specific detail on how their livelihoods and businesses may be impacted by the proposed regulations.

Who needs to be aware of the consultation

If you work directly in the **alcohol industry** in Scotland, or if you work in the alcohol industry's extended **supply chain** – be that agriculture, packaging, logistics - you need to be aware of Scottish Government proposals to prohibit all forms of marketing and sponsorship by alcohol brands.

If you work in **sport, cultural or community clubs and events** that benefit from alcohol sponsorship you need to be aware of the implications of the Scottish Government proposals for your future sources of funding.

If you work in **tourism**, particularly distillery and brewery **visitor experiences**, but all tourism businesses that benefit from the visitors that alcohol brand tourism generates, you need to be aware of the Scottish Government proposals and the impact on your future.

If you work in a **hospitality or retail** business that sells alcohol you need to be aware of the Scottish Government proposals and their implications for your businesses.

If you are a **consumer** who enjoys alcohol brands and merchandise associated with your favourite brands you need to be aware of the Scottish Government proposals.

Why do you need to be aware

The Scottish Government proposals being consulted on would ban virtually all forms of alcohol marketing in Scotland, including banning advertising, sponsorship of sport and cultural events, banning use of alcohol brands on merchandise and radically restricting how alcohol brands can be displayed in retail outlets.

The Scottish Government consultation goes as far as to state that that “without branding and other marketing strategies, alcohol products in each beverage sub-sector are essentially variations of the same thing” – effectively dismissing centuries of world-leading brand-building by Scottish distilling and brewing businesses, and the proud national heritage of innovation in distilling and brewing industries.

The proposals to ban sponsorship would undermine support for community sports and cultural events, particularly in rural areas of Scotland where distilling is the main industry with long-standing record of providing financial support.

Public health

The Scottish Government proposals are designed to be a public health measure aimed at reducing alcohol consumption across the total population, with a specific focus on preventing young people from encountering alcohol branding.

The consultation document does not acknowledge the improving trends across a range of harm indicators.

For example, the consultation states that it is designed to “protect” children from alcohol advertising, but fails to take into account statistical evidence that alcohol consumption by children aged 13-15 has declined by 58% since 2004. Please see separate factsheet [‘Scotland drinking trend analysis’](#).

Alcohol industry position

The alcohol industry in Scotland is a responsible industry making a positive economic and social contribution to communities the length and breadth of Scotland, including the country’s fragile rural communities where economic development is challenging.

The alcohol industry is a crucial sector for the future success of Scotland’s exports, tourism, hospitality, innovation, entrepreneurship and environmental sustainability.

The alcohol industry in Scotland is proud to produce some of the most iconic, high-quality brands in the world. The responsible marketing of these brands, via advertising, sponsorship, merchandising and retailing, is both legitimate and necessary to the future success of the industry and its ability to invest in Scotland’s economy and communities.

The industry positively welcomes fair and reasonable regulation of marketing, and rigorous enforcement to ensure all forms of marketing are carried out responsibly and that companies and brands that do not behave responsibly are held to account.

The industry also has a track record of commitment to tackling alcohol misuse and harm through a range of initiatives and partnerships aimed at fundamentally changing Scotland's relationship with alcohol for the better. The industry is committed to working with any and all stakeholders to tackle alcohol misuse and harm and would welcome positive dialogue with Scottish Government on how the trends in reducing alcohol consumption can be accelerated

The Scottish Government proposals and their potential economic impacts on Scotland's distilling, brewing, hospitality, tourism, events and sports sectors is disproportionate, with negative consequences for business, individuals and communities that go far beyond the stated public health objectives.

Responding to the Scottish Government consultation on banning alcohol marketing

The future of the alcohol industry in Scotland, the jobs, communities and organisations that depend upon it, will be directly impacted by these proposals.

You can make your views known by responding to the consultation.

This guide is designed to assist individuals and organisations to respond to the consultation. However, it is entirely up to every individual and organisation to read the consultation and to come to their own conclusions about the proposals and how they wish to respond.

You may choose to respond to all or some of the sections of the consultation at your discretion.

The easiest way to respond to the consultation is online at the following link:

<https://consult.gov.scot/alcohol-policy/alcohol-advertising-and-promotion/>

The following guide takes each question in the consultation in order and gives guidance on responding.

Declaration of direct or indirect links to the alcohol industry

1. Please indicate any direct or indirect links to the alcohol industry?

- It is crucial that all respondents make their links to the industry known.
- You have a legitimate interest in the future of your industry and you should have nothing to fear from declaring your interest and making your voice heard.
- If you work for an alcohol company you should declare a direct link, if you are an individual, business or organisation in the alcohol supply chain, tourism, hospitality, events or sports that benefit from alcohol sponsorship, you should declare your indirect link.

Sports and events sponsorship

2. Do you think we should prohibit alcohol sports sponsorship in Scotland?

- Yes
- No
- Don't Know

Please explain your answer in the text box:

- Alcohol consumption amongst young people in Scotland is in decline. There is no clear evidence that banning alcohol sponsorship of sport will have any effect on alcohol consumption, particularly amongst young people, indeed there is clear evidence that there is no link between alcohol marketing and overall alcohol consumption.
- Banning alcohol sponsorship of sport will have far-reaching unintended consequences, particularly on small, local community organisations at grassroots level. The majority of sport sponsorship by alcohol businesses in Scotland is not focused on national and international sport, but on local organisations in communities where distilleries and breweries are located. Particularly in the case of distilleries, this is in rural and remote communities where distilling is the major industry.
- Alcohol sponsorship has been regulated in Scotland and the UK under the Portman Group since 2003. The Alcohol Sponsorship Code was drafted in 2014 in co-operation with many external stakeholders, including extensive engagement with the Scottish Government. It ensures under 18s are protected from alcohol marketing at sports, music and cultural events – 75% of the audience must be over 18. The Code applies to the whole of the sector and ensures that sponsorships are responsible. We would therefore urge the Scottish Government to work in partnership with the existing self-regulatory system to help address any concerns.
- Across Scotland, there are hundreds of amateur sports clubs and organisations which are reliant on financial sponsorship by brewers, distillers, pubs and bars. Restricting this relationship would unquestionably make some financially unviable.

3. If alcohol sponsorship for sports was to be prohibited, what types of marketing do you think should be covered by a prohibition?

Illustrative examples include:

- prohibiting the use of alcohol brands on clothing worn by players or staff
- prohibiting alcohol being advertised on pitch side hoarding, pitches, trophies, tunnels or interview boards
- prohibiting players or staff from featuring in alcohol adverts in print or online
- prohibiting online content from linking the sports team, players or competition to an alcohol brand or vice versa.

Please add your response in the text box:

- Alcohol sponsorship of sport should not be further restricted than it already is.
- Prohibiting the forms of alcohol sponsorship described would have far-reaching unintended consequences, particularly on small, local community organisations. The majority of sport sponsorship by alcohol businesses in Scotland is not focused on national and international sport, but on local organisations in communities where distilleries and breweries are located. In the case of distilleries, this is in rural and remote communities where distilling is the major industry.
- Restricting this relationship would have a more pronounced negative impact on amateur, community, grassroots organisations.

4. What, if any, sporting activities or events do you think should be excepted from a prohibition on alcohol sports sponsorship, and why?

Please add your response in the text box:

- For the reasons already set out, there should not be prohibition on alcohol sponsorship of sporting organisations.

5. Do you think we should prohibit alcohol events sponsorship in Scotland?

- Yes
- No
- Don't know

Please explain your answer in the text box:

- Alcohol brands are major sponsors of many significant cultural and creative events in Scotland, both at national and local level.
- Restricting sponsorship would have a significant impact on the events, festivals and the creative sector in Scotland at a time when they are already in crisis as a result of COVID, cost-of-living crisis and government funding cuts.
- The majority of alcohol industry support for events is focused on local events in the communities where distilleries and breweries are located, particularly in rural and remote communities where alcohol production is the principal industry.
- Removing the right of distilleries and breweries to support events in their local communities would be deeply damaging to the fabric of these communities, while achieving little or no public health benefits.
- Prohibiting events sponsorship would also prevent smaller distillers and brewers with the opportunity to market their products, making it more difficult for them to succeed and grow their business. This will have a detrimental impact on Scotland's food and drink sector.

6. If alcohol events sponsorship were to be prohibited, what types of marketing do you think should be covered by a prohibition?

Please add your response in the text box

- For the reasons set out above alcohol sponsorship of events should not be prohibited.

7. What, if any, events do you think should be excepted from a prohibition on alcohol events sponsorship, and why?

Please add your response in the text box

- Alcohol sponsorship of events should not be prohibited in Scotland.

8. If alcohol sponsorship restrictions are introduced, do you think there should be a lead in time for these?

The Scottish Government acknowledges it would be a significant undertaking if alcohol sponsorship was prohibited for all events, without an adequate lead in time. This takes account of the commercial nature of sponsorship contracts whereby these are made for a number of years. We welcome views on whether a lead in time would be appropriate as well as how, and for how long, this might operate.

- Yes
- No
- Don't know

Please explain your answer in the text box

- Alcohol sponsorship of events should not be prohibited in Scotland.

Outdoor and public spaces marketing

9. Do you think we should prohibit alcohol marketing outdoors, including on vehicles, and in public spaces in Scotland?

- Yes
- No
- Don't know

Please explain your answer in the text box

- Responsible alcohol marketing is a crucial part of how distilleries and breweries build their brands and differentiate themselves from competitor brands, and also severely undermine the Scottish Government's own *Ambition 2030* which aims to double the size of the food and drink sector by 2030.
- Prohibiting alcohol marketing would undermine the commercial viability of Scotland's most successful industry in its home market. It would be particularly damaging for Scotland's small entrepreneurial distillers and brewers that rely on local marketing to establish and grow their businesses.
- Prohibiting alcohol marketing would undermine the growing premiumisation trend in alcohol, by which the industry seeks to encourage consumers to choose high quality brands at higher price points, encouraging them to drink less and to drink better. This is a trend via which alcohol marketing can positively accelerate moderate consumption.
- Prohibiting alcohol marketing would undermine the ability of distilleries and breweries to promote their visitor experiences, undermining Scotland's most successful tourism growth driver.
- It is right that alcohol marketing is strictly regulated to ensure it is responsible and targeted at adults of legal purchase age, as it is under current codes and practises. However, prohibition would be disproportionate, ineffective and unnecessarily damaging to the economic potential of the distilling and brewing sector in Scotland.
- For many hospitality businesses, branded materials (glasses, signs, umbrellas, windbreakers) are a crucial way to reduce costs. A potential restriction in public spaces would require major changes to how many hospitality businesses operate, come with significant costs and create significant wastage through the disposal of non-compliant materials.

10. What do you think should be covered by a prohibition on alcohol marketing outdoors, on vehicles and in public spaces?

Your answer should include:

1. Places where you think alcohol marketing should be prohibited (e.g., on bus shelters, in or near leisure centres or on taxis); and
2. Types of alcohol marketing you think should be prohibited outdoors (e.g., billboards or signage).

Please add your response in the text box

- For the reasons previously set out, alcohol marketing should not be prohibited in Scotland.

11. What, if any, exceptions do you think there should be to prohibiting alcohol marketing outdoors, including on vehicles, and in public spaces in Scotland? Why?

Please add your response in the text box

- For the reasons previously set out, alcohol marketing should not be prohibited in Scotland.

In-store alcohol marketing

12. Do you think that we should further restrict the visibility of alcohol in retail environment?

For example by:

- restricting window displays of alcohol,
- restricting the use of mixed alcohol and non-alcohol aisles,
- prohibiting aisle-end displays of alcohol,
- and/or redefining the alcohol display area, and/or
- covering alcohol behind till areas similar to tobacco

Yes

No

Don't know

Please add your response in the text box and explain your answer

- Retail sale of alcohol is already strictly regulated via the licensing system. Further regulation would be disproportionate and have negative consequences for the economic success of the alcohol and retail sectors.
- Prohibition of window displays and additional restrictions of in-store alcohol retail display and sales would have a damaging impact on distillery and brewery visitor experiences that utilise windows and retail stores as part of the visitor experience that the growing number of tourists expect.
- Space is at a premium in many small stores, further separation of product would undermine their viability with the cost of adjusting the store layout being prohibitive.
- The restrictions would impact on prices across the store, pushing the costs onto customers. Subsequently making the store less competitive.
- Retailers are already facing an extremely challenging trading environment, alongside soaring energy costs, rising inflation & interest rates and a cost-of-living crisis impacting on customer and household budgets.

13. Do you think we should consider structural separation of alcohol in Scotland to reduce the visibility of alcohol in off-trade settings (e.g., supermarkets)?

- Yes
- No
- Don't know

Please explain your answer in the text box

- Retail sale of alcohol is already strictly regulated via the licensing system. Further regulation would be disproportionate and have negative consequences for the economic success of the alcohol and retail sectors.
- The confinement of alcohol to alcohol-only displays is already included in the conditions attached to the mandatory Premises Licence.
- Further reducing the visibility of alcohol will have a damaging impact on smaller brands which will be un-able to develop brand awareness and thus discourage new producers from entering the market. The economic implications of this would be significant, especially for rural communities where many smaller brands are based and produced.
- Smaller format stores would struggle to implement such restrictions at an operational level given the limited in-store space available. This would also leave them at a competitive disadvantage thereby jeopardising their future sustainability and viability.

14. How do you think structural separation of alcohol in Scotland could operate? (e.g., with barriers, closed display cases)

Please add your response in the text box

- For reasons previously stated there should be no structural separation of alcohol.

15. Do you think that we should prohibit the sale of alcohol branded merchandise in Scotland?

- Yes
- No
- Don't Know

Please explain your answer in the text box.

- Branded merchandise is a critical aspect of distillery and brewery tourism, particularly in the Scotch whisky industry, which is Scotland's leading tourist growth sector. International visitors travel to distilleries in rural communities of Scotland on pilgrimages to the places where their favourite brands are made. Branded merchandise is one of the key commercial offerings and is a key part of the visitor experience. Prohibiting this would have an extremely damaging impact on Scotland's reputation and success as a tourist destination.
- Such prohibition would have a disproportionate impact on rural economic development and rural communities in Scotland because that is where the vast majority of distilleries are located.
- It would also have a disproportionate impact on entrepreneurial small distillers and brewers that use merchandising as an additional way of building their brand and growing their business.
- Producers are careful to ensure their merchandise is responsible and stays within the Portman Group Codes of Practice, which explicitly says that "Drinks companies must not allow the placement of their brand names, logo or trademark (including the non-alcoholic version of the alcohol brand) on merchandise which has a particular appeal to/intended for use primarily by under-18s."

16. Do you think that we should prohibit the free distribution of alcohol branded merchandise in Scotland?

- Yes
- No
- Don't Know

Please explain your answer in the text box.

- For the reasons previously set out merchandising is a critical part of the economic success of the alcohol and tourism sectors, particularly in rural economies.
- It is right that any use of merchandise should be responsible and targeted at people of legal purchase age, however, this can be achieved through sensible regulation rather than prohibition.
- Additionally, hospitality businesses across the country receive branded merchandise through associations with the alcohol brands that are sold. This merchandise including glassware, external furniture, placemats all help ensure that operating costs are reduced. Prohibiting the free distribution would mean that pubs would have to pay for these products when we are already struggling with rising costs as previously highlighted.

17. What, if any, exceptions do you think should there be to prohibiting the sale or distribution of alcohol branded merchandise?

Please provide your answer in the text box.

- For the reasons previously set out merchandising is a critical part of the economic success of the alcohol and tourism sectors, particularly in rural economies and should not be prohibited.

18. What, if any, other restrictions do you think should be considered on the use of alcohol brands on non-alcohol products?

Please provide your answer in the text box.

- None, as long as the marketing and distribution is responsible and targeted at adults of legal purchase age.

19. Do you think that any potential alcohol marketing restrictions should apply to low or no alcoholic drinks products, where these carry the same brand name, or identifiable brand markings, as alcoholic drinks?

Low or no alcoholic drinks products are between 0% ABV and 1.2% ABV. Alcoholic drinks are over 1.2% ABV.

Alcohol by volume (ABV) is a measure of alcohol content.

- Yes
- No
- Don't Know

Please answer in the text box below.

- The development of low or no alcohol brands is a positive response to growing consumer trends towards moderate consumption of alcohol, as acknowledged by the Scottish Government.
- Adult consumers are increasingly seeking low or no alcohol alternatives that are specifically adult alternatives, with flavour profiles and serving rituals that are associated with alcohol brands, but with low or no alcohol.
- This is a positive trend that should be encouraged not restricted.
- While the popularity of low and no products in Scotland is higher than other part of the UK, restrictions to their advertising and branding will likely stifle investment in these products and also reduce consumer awareness of low-or-no alternatives to alcohol products.
- Concerns around low and no alcohol and children are unfounded, as these products have either already been captured by existing legislation or voluntary industry action to prevent possible harm.
- Any product above 0.5% ABV in the low alcohol category is covered by existing licensing legislation and the Portman Group Codes of Practice – ensuring that there are no sales or marketing to minors.
- Below 0.5% ABV, retailers as part of the Retail of Alcohol Standards Group as well as many pub companies, have voluntarily restricted sales of non-alcoholic adult alternatives to ensure no sales to under 18s – extending the existing use of the 'Challenge 25' scheme to verify the age of customers. The existing Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks also applies in spirit to brand extensions below 0.5% ABV – so that they do not have a particular appeal to under 18s.

20. Do you think that we should prohibit advertising of alcohol in newspapers and magazines produced in Scotland?

- Yes
- No
- Don't know

Please explain your answer in the text box

- Scotland's newspaper industry is primarily a source of news for the adult population over the legal purchase age for alcohol.
- Restricting alcohol advertising in newspapers would have minimal impact on public health but would remove a significant source of financial support for the media industry in Scotland, further undermining their already fragile economic viability.
- The impact would be disproportionately felt by small entrepreneurial brands, undermining their attempts to establish their brands and grow their businesses in their home market.

21. What, if any, exceptions do you think there should be to prohibiting alcohol advertising in newspapers and magazines produced in Scotland?

If this was taken forward, some consideration would need to be given to specialist consumer publications, trade press and industry focused publications. These are unlikely to be seen, on a large scale, by children and young people or by those in recovery.

Please add your response in the text box

- For reasons previously stated alcohol advertising in newspapers and magazines should not be prohibited.

22. Do you think we should restrict alcohol branded social media channels and websites in Scotland?

Alcohol branded social media channels post content, including photos and videos, to individuals who follow or 'like' them. High-quality posts advertise the product/s sold and [show the alcoholic drink](#) being consumed in desirable locations or contexts as well as highlighting sponsorships or tie-ins with celebrities.

Children and young people would see alcohol content if they followed or liked the alcohol brand or if they followed sponsored celebrities, influencers or sports people who advertise the brand. This is despite age gating, which is the process of checking age of users before allowing access.

[UK research](#) has found that while age verification can prevent individuals whose profile states they are under 18 years of age accessing alcohol marketing on Facebook, users of all ages can access alcohol marketing on Twitter and YouTube.

- Yes
- No
- Don't Know

Please explain your answer in the text box.

- Online marketing is already, rightly, subject to strict regulation under existing codes governed by the Advertising Standard Authority.
- The alcohol industry in Scotland is a responsible sector that does not seek to advertise to people below the age of legal purchase for alcohol. The industry agrees that this should be strictly regulated and enforced by the relevant authorities.
- Technological advances allow online advertising to be strictly targeted at people of legal purchase age. A range of sophisticated technologies allow advertisers to ensure this is the case, even if a person puts a false age into an age gate. The alcohol industry is committed globally to ensuring the most rigorous possible approach is taken to responsible online marketing.
- Social media channels and websites are a crucial marketing tool for the success of any brand or business in the modern world. Prohibiting alcohol brands from having their own social channels and websites would cause enormous commercial damage to businesses.
- This impact would be disproportionately felt by start-up distillers and brewers who primarily use digital communications to establish their brands and to grow their businesses in their home market.
- Restrictions will put Scottish businesses at a competitive disadvantage to counterparts in the rest of the UK and Europe.

23. What, if any, exceptions do you think there should be to prohibiting alcohol branded social media channels and websites in Scotland?

Please add your response to the text box.

- For reasons already set out online marketing of alcohol in Scotland should not be prohibited beyond existing regulations.

24. Do you think we should restrict paid alcohol advertising online in Scotland?

Examples include adverts appearing on websites, via pop ups, on social media platforms, on search engines or influencer advertising.

A high volume of paid alcohol advertising online is data driven. It targets consumers based on data associated with them.

- Yes
- No
- Don't Know

Please explain your answer in the text box.

- Online marketing is already, rightly, subject to strict regulation under existing codes governed by the Advertising Standard Authority.
- The alcohol industry in Scotland is a responsible sector that does not seek to advertise to people below the age of legal purchase for alcohol. The industry agrees that this should be strictly regulated and enforced by the relevant authorities.
- Technological advances allow online advertising to be strictly targeted at people of legal purchase age. A range of sophisticated technologies allow advertisers to ensure this is the case, even if a person puts a false age into an age gate. The alcohol industry is committed globally to ensuring the most rigorous possible approach is taken to responsible online marketing.

25. What types of paid alcohol advertising online do you think should be covered by any restrictions?

Please add your response in the text box.

- For reasons already set out online marketing of alcohol in Scotland should not be prohibited beyond existing regulations.

26. What, if any exceptions, do you think there should be to restricting paid alcohol advertising online?

Please add your response in the text box.

- For reasons already set out online marketing of alcohol in Scotland should not be prohibited beyond existing regulations.

27. Do you think we should restrict alcohol companies from sharing promotional content on social media (e.g. filters, videos or posts) - whether this is produced by them or by consumers?

User-generated marketing includes sharing or liking an alcohol brand's content including written posts, photos, videos, games and competitions. This [extends the reach](#) of the original marketing and enhances the credibility of it.

Consumers also create and post text, pictures or videos featuring alcohol on their social media profiles, independently of alcohol companies. For example, the NekNominate drinking game involved an individual posting a video of themselves drinking before tagging a peer on social media to do the same within 24 hours.

In Finland, commercial marketing of mild alcoholic beverages (less than 22% ABV) [is banned on social media](#) when it is either produced by consumers or produced by an alcohol company and intended to be shared by consumers. This means alcohol companies cannot use content originally uploaded by consumers (user generated) nor can they create content which is specifically aimed for consumers to share (which once shared becomes user generated).

Yes

No

Don't Know

Please explain your answer in the text box.

- Online marketing is already, rightly, subject to strict regulation under existing codes governed by the Advertising Standard Authority.

- The alcohol industry in Scotland is a responsible sector that does not seek to advertise to people below the age of legal purchase for alcohol. The industry agrees that this should be strictly regulated and enforced by the relevant authorities.
- Technological advances allow online advertising to be strictly targeted at people of legal purchase age. A range of sophisticated technologies allow advertisers to ensure this is the case, even if a person puts a false age into an age gate. The alcohol industry is committed globally to ensuring the most rigorous possible approach is taken to responsible online marketing.

28. What, if any, exceptions do you think there should be from restricting alcohol companies from sharing promotional content on social media (e.g. filters, videos or posts) - whether this is produced by them or by consumers?

Please add your response in the text box.

- For reasons already set out online marketing of alcohol in Scotland should not be prohibited beyond existing regulations.

Television and radio advertising

29. Do you think we should explore prohibiting alcohol advertising on television and radio completely (e.g. like Norway or Sweden)?

- Yes
 No
 Don't Know

Please explain your answer in the text box.

- Alcohol marketing on television and radio is already strictly regulated.
- Research by the Advertising Standards Authority found that between 2008 and 2020, children's exposure to alcohol advertising on TV decreased by just over two thirds, from an average of 2.8 ads per week in 2008 to 0.9 ads per week in 2020, the lowest in the 13-year period observed.
- The extent to which people below the legal purchase age of alcohol see/hear alcohol advertising on TV/radio is low and therefore, prohibition would be an extreme and disproportionate measure to take, with little if any impact on public health.

30. Do you think we should introduce a watershed for alcohol advertising on TV and radio (e.g. like Ireland)?

- Yes
 No
 Don't Know

Please explain your answer in the text box.

- Alcohol marketing on television and radio is already strictly regulated.
- Research by the Advertising Standards Authority found that between 2008 and 2020, children's exposure to alcohol advertising on TV decreased by just over two thirds, from an average of 2.8 ads per week in 2008 to 0.9 ads per week in 2020, the lowest in the 13-year period observed.
- The extent to which people below the legal purchase age of alcohol see/hear alcohol advertising on TV/radio is low and therefore, restrictions would be disproportionate, with little if any impact on public health.

31. Do you think alcohol advertising should be restricted in cinemas?

Yes

No

Don't know

Please explain your answer in the text box

- Cinema advertising is already strictly regulated by the Advertising Standards Authority and the Cinema Advertising Association, including stipulation that alcohol adverts cannot be broadcast as part of trailers for a film where more than 25 per cent of the audience is under the age of 18, or where the film is likely to appeal to those under the age of 18.
- Further restrictions to cinema advertising are therefore unlikely to have any significant effect in the real world.

32. If alcohol advertising was restricted in cinemas, what, if any exceptions (e.g. products in scope, times of day, or specific movie ratings) do you think should be considered?

Some European countries, [including Finland and Ireland](#), have introduced an approach whereby alcohol can be advertised in cinemas but only at films certified as 18+.

Please add your response in the text box

- For reasons set out previously alcohol advertising in cinemas should not be further restricted.

Restrictions on content of advertisements

33. Do you think that the content of alcohol marketing in Scotland should be restricted to more factual elements?

- Yes
- No
- Don't Know

Please explain your answer in the text box.

- The content of alcohol marketing is, rightly, already strictly regulated.
- Restricting alcohol marketing to purely factual statements would reduce alcohol to a commodity and undermine centuries of Scottish creativity and brand-building.
- It would have a negative impact on Scotland's creative sector and on the ability of distilleries and breweries to market themselves as tourism destinations.
- Again, this would have a disproportionate impact on small start-up distillers and brewers that are trying to establish their brands and grow their businesses.

34. Do you think we should only allow alcohol marketing to include elements set out in a list, like in Estonia? This would mean all other elements not on the list would be banned from adverts.

- Yes
- No
- Don't know

Please explain your answer in the text box.

- The content of alcohol marketing is, rightly, already strictly regulated.
- Restricting alcohol marketing to purely factual statements would reduce alcohol to a commodity and undermine centuries of Scottish creativity and brand-building.
- It would have a negative impact on Scotland's creative sector and on the ability of distilleries and breweries to market themselves as tourism destinations.
- Again, this would have a disproportionate impact on small start-up distillers and brewers that are trying to establish their brands and grow their businesses.

35. Do you think that content restrictions, like the Estonia model, should be applied to all types of alcohol marketing?

- Yes
- No
- Don't know

Please explain your answer in the text box.

- The content of alcohol marketing is, rightly, already strictly regulated.
- Restricting alcohol marketing to purely factual statements would reduce alcohol to a commodity and undermine centuries of Scottish creativity and brand-building.
- It would have a negative impact on Scotland's creative sector and on the ability of distilleries and breweries to market themselves as tourism destinations.
- Again, this would have a disproportionate impact on small start-up distillers and brewers that are trying to establish their brands and grow their businesses.

36. How do you think that any future alcohol marketing restrictions in Scotland should be monitored and enforced?

Please add your response in the text box

- Alcohol marketing should not be further restricted.
- Existing regulations on alcohol marketing should continue to be rigorously enforced.
- Instead, the Scottish Government should seek to engage with existing systems of self-regulation such as the ASA and the Portman Group, which have proven effective in ensuring a system of widespread responsible alcohol advertising.

37. Do you think that Scottish Government should require the alcohol industry to provide information and data on alcohol marketing campaigns in Scotland?

- Yes
- No
- Don't know

Please explain your answer in the text box

- The alcohol sector in Scotland has a strong established record of being a responsible industry working collaboratively with government and stakeholders to build economic value for communities the length and breadth of the country.
- Imposing unnecessary and onerous reporting requirements on the industry, particularly at a time of significant economic headwinds, would undermine the ability of the industry to invest and grow, thereby undermining the economic potential of the industry for Scotland.

38. Do you think that Scottish Government should require the alcohol industry to provide local alcohol sales data in Scotland?

- Yes
 No
 Don't know

Please explain your answer in the text box

- The alcohol sector in Scotland has a strong established record of being a responsible industry working collaboratively with government and stakeholders to build economic value for communities the length and breadth of the country.
- Imposing unnecessary and onerous reporting requirements on the industry, particularly at a time of significant economic headwinds, would undermine the ability of the industry to invest and grow, thereby undermining the economic potential of the industry for Scotland.

39. Do you think the Scottish Government should look to introduce a comprehensive package of restrictions across a number of marketing channels? If so, what do you think this package should include?

- Yes
 No
 Don't know

Please explain your answer in the text box

- There is little, if any evidence, that marketing restrictions will be effective in reducing alcohol consumption and/or harm.
- Marketing is a crucial part of growing a successful business and the restrictions proposed would be deeply damaging for businesses across Scotland, particularly small businesses in rural communities.
- Such measures would be highly disproportionate.
- The Scottish Government should focus on targeted interventions to tackle alcohol harm and support alcohol education programmes to continue the established trends of reducing alcohol consumption across the population and particularly with young people.

40. What, if any, additional alcohol marketing methods or channels not covered in the consultation would you like Scottish Government to consider restricting?

Please add your response in the text box

- There is little, if any evidence, that marketing restrictions will be effective in reducing alcohol consumption and/or harm.
- Marketing is a crucial part of growing a successful business and the restrictions proposed would be deeply damaging for businesses across Scotland, particularly small businesses in rural communities.
- Such measures would be highly disproportionate.
- The Scottish Government should focus on targeted interventions to tackle alcohol harm and support alcohol education programmes to continue the established trends of reducing alcohol consumption across the population and particularly with young people.

41. What further evidence on alcohol marketing you would you like the Scottish Government to consider?

Please explain your answer in the text box

- The Scottish Government should carry out a detailed economic impact assessment of the impact its proposals would have on businesses and communities across Scotland, and the cost to the economy and to families that work in the alcohol industry, hospitality, tourism and associated supply chains.
- The Scottish Government should carry out a detailed investigation into the drivers for Scotland's established trend in declining alcohol consumption and take proportionate measures that are clearly targeted at continuing those trends.

42. If you sell, distribute, advertise or manufacture alcohol, or represent those who do, how do you think the potential restrictions in this consultation paper would impact you, and the wider alcohol sector?

The Scottish Government acknowledges that the restrictions presented here could have significant implications for those who advertise, sell, distribute or manufacture alcohol. It is important that alcohol and advertising industry views are collated to consider the potential impacts that proposals might have, as well as any support that could be provided alongside any restrictions.

Please add your response in the text box

- Please input any detail of how the proposed measures would impact your business.
- Marketing is a crucial part of any successful business. Without marketing no business can prosper.
- The proposed restrictions would have far-reaching and devastating implications for Scotland's distilling, brewing, hospitality, tourism and retail sectors.

- The proposals would be particularly damaging for small, start-up businesses, making it impossible for them to establish and build their brands, to grow and to provide employment.
- These proposals would have a disproportionate impact on rural communities, where many distilleries, breweries and pubs are located, undermining businesses that make a crucial contribution to the economic fabric of Scotland.
- The proposals would undermine Scotland's tourism sector, making it impossible for distilleries and breweries to promote visitor experiences, undermining years of investment to make Scotland one of the world's most attractive food & drink visitor destinations. Again, this impact would be disproportionately felt in rural Scotland.
- The proposals on sports and cultural event sponsorship would be deeply damaging to communities across Scotland, undermining the ability of distillers and brewers to support sports clubs and cultural events in their local communities. The majority of the industry's sponsorship activity takes place at local community level. In many rural areas there are few, if any, other industries that have the financial resources to provide that sponsorship support.
- The proposals add to other regulatory burdens, such as the Deposit Return Scheme, that undermine the ability of the hospitality, tourism and retail sectors to recover from COVID and the cost-of-living-crisis. At a time when businesses in Scotland are struggling for survival, particularly small businesses, these proposals would further compromise their viability.
- The proposals are contrary to the stated ambitions of the Scottish Government's National Strategy on Economic Transformation.
- Scotland is the world's greatest distilling nation, with an unrivalled global reputation for high quality brands, skills, heritage and provenance. The Scottish Government's proposals would undermine that reputation, diminish Scotland's image in the world, and destroy the economic opportunity that brewing, distilling, hospitality, tourism and retail represents for the Scottish economy.

43. Are there any relevant equality issues that Scottish Government should be considering at this stage in the policy development?

Please add your response in the text box

- The alcohol industry is responsible for Scotland's largest global export, it is the most productive sector in the economy, it is the leading investor in Scottish tourism, and it is the largest customer of Scottish agriculture.
- The Scottish Government should consider whether it supports a vibrant and successful alcohol industry in Scotland and consider other ways of tackling alcohol misuse and harm that do not undermine the economic, social and community contribution the alcohol industry makes to Scotland.

The remaining questions in the consultation relate to personal information.