

## MONTHLY FEATURE

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### Alcohol and Prohibition: What role for CSR?

*By*

**Ivor Hopkins**

*Director, MHC International Ltd., [www.mhcinternational.com](http://www.mhcinternational.com)*



#### *Abstract:*

*Should alcohol advertising be banned? This article explores the options from a social responsibility angle.*

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#### **Ban**

Ban is a short and explosive word that chimes with “end” in its finality. It is more forceful than “stop” and has “curse” as part of its etymology. It demands action for control and prohibition; it can be used to prevent harm, as well as limit freedoms. It is a word in our globalised world that is fraught with difficulty when you consider in what circumstances the word “ban” is and can be used:

- Political expression / free speech
- Religious observance
- Dangerous / illegal substances
- Anti social behaviour
- Particular items of apparel
- Cross border movement
- Proliferation of weapons especially nuclear arms and landmines

- Access to education

This Monthly Feature focuses on the **British Medical Association's (BMA)** recent call to ban alcohol marketing communications, explores briefly the implications that this has for key stakeholders and suggests how using Corporate Social Responsibility as a tool would improve the situation, especially for the drinks business, its customers and for the health professionals.

On the face of it, it would seem to be a fool's errand to take the **BMA** to task as they represent one of the most trusted groups in society. Doctors and other medical professionals have our health and well being at the core of their activities which is built on a very strong ethical code that underpins their actions.

Alcohol is another emotive word that is frequently linked with the word ban (and with the medical services), especially at this time of year when parties and celebrations in many parts of the world can lead to serious over indulgence and to illegal activities like drunk driving. Yet our relationship with this substance is also mixed: Some religious faiths ban alcohol where others use it as part of their ritual. And many societies ban the giving, let alone sale, of alcoholic drinks to minors.

Recently, in a paper entitled *Under the influence – the damaging effect of alcohol marketing on young people*<sup>1</sup>, the British Medical Association set out nine strong measures to counter the harmful effects of alcoholic consumption and the seeming lack of control in the sale and promotion of this substance:

Current controls on alcohol promotion are completely inadequate because they are based on voluntary agreements and focused on content, rather than the amount of alcohol advertising. Even in their control of content the rules are weak with, for example, prohibitions on advertising which associates drink with youth culture or sporting success sitting alongside alcohol sponsorship of iconic youth events like music festivals and premiership football<sup>2</sup>.

The **BMA** proposes nine strong measures in this publication, and the first reads "Implement and rigorously enforce a comprehensive ban on all alcohol marketing communications"<sup>3</sup> Ban. The word is stark – the ban on ALL alcohol marketing is to be total which makes me uncomfortable.

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<sup>1</sup> [http://www.bma.org.uk/images/undertheinfluence\\_tcm41-190062.pdf](http://www.bma.org.uk/images/undertheinfluence_tcm41-190062.pdf) September 2009, accessed 23.11.09

<sup>2</sup> Under the influence – Executive Summary p1

<sup>3</sup> Ibid p.2

## Alcohol

As a species, we have a long relationship with alcohol<sup>4</sup>. Beer is our oldest alcoholic drink: it is estimated to have been around for over 7,000 years. Mead, made from honey, is almost as old and was culturally significant in English poetry 1000 years ago when the *medo-ful* or mead cup was raised either in celebration, or in boast on the eve of battle. The Romans brought vines to England – we are after all on the same latitude as the Rhine - and today vineyards as far north as Lincolnshire produce fine wines, a fact that often amazes our mainland European neighbours<sup>5</sup>.

We in the North do have a different relationship with alcohol in comparison with people in the sunnier south. Alcohol can be a winter warmer here in our often harsher climate and it is hardly surprising that whisky is a corruption from *usquebaugh* or water of life<sup>6</sup>. However, there is a big downside in the personal, social and financial costs of binge and uncontrolled drinking: the UK, for instance, has the highest rates of binge drinking in the EU, and the **National Health Service** (NHS) web site<sup>7</sup> gives a swathe of statistics on alcohol abuse and the damage alcohol causes.

Prof David Nutt<sup>8</sup> of Imperial College, London stated in the BBC documentary *Horizon Do I drink too much?*<sup>9</sup> that, if alcohol were discovered today, it would be controlled under the Misuse of Drugs Act, and, in a New Index of Harm paper he wrote at Kings College, London explained that alcohol was fifth in the list of harmful substances after cocaine, heroin, barbiturates and methadone. You can understand why doctors reach for the ban word, for prohibition:

The UK Prime Minister's Strategy Unit estimated that:

- 5.9 million people in Britain engage in binge drinking (8 or more units per day for men and 6 or more units per day for women)
- 2.9 million (7%) of the adult population in Britain are alcohol dependent.

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<sup>4</sup> Other primates have also been observed drunk, either in the wild e.g. gorillas drunk on the alcoholic sap from bamboo – or monkeys high on fermenting fruit (and also from tourist drinks, stolen at resorts). Elephants do not get drunk in the wild on marula fruit – this is apparently a myth – but they do pilfer rice wine...

<sup>5</sup> One of the effects of global warming will be to shift the production of the best sparkling wines from Champagne to Sussex, where extremely good sparkling wines are currently produced – see <http://www.carr-taylor.co.uk/>

<sup>6</sup> This is similar to aqua vitae which turns up in Sweden as aquavit, a spirit that puts a spring in their steps at the joyous Midsummer Celebrations, itself a sign that winters are long and hard

<sup>7</sup> [www.units.nhs.uk](http://www.units.nhs.uk)

<sup>8</sup> Recently sacked as UK government's advisor on drugs as he was outspoken on the HM policy by stating very publicly that i.e. the drug ecstasy was safer than horse riding

<sup>9</sup> BBC 1 13.10.09 at 21.00 presented by John Marsden

The Alcohol Needs Assessment Research Project (ANARP) estimated that:

- 21 per cent of men and 9 per cent of women aged 16-64 in England are binge drinkers.
- 38 per cent of men and 16 per cent of women in England have an alcohol use disorder, corresponding to 26 per cent overall (8.2 million people)<sup>10</sup>

## Companies challenged

The **Portman Group**<sup>11</sup> is made up from a group of UK drinks producers and is “concerned solely with the social responsibility issues surrounding alcohol.” The group states that its role is:

- to encourage and challenge drinks producers to promote their products responsibly, which we do mainly through operating our Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks;
- to show leadership on best practice in the area of alcohol social responsibility through the actions of our member companies; and
- to speak on behalf of our members on these issues to inform public opinion and policy<sup>12</sup>.

Its chief executive responded to the **BMA** that

The **BMA** is ignoring all the evidence that advertising causes brand switching, not harmful drinking. A ban would not improve our drinking culture and could even be counter-productive. The University of Sheffield found it would create fiercer price competition which could actually increase overall consumption. Lasting social change can be achieved only through sustained education accompanied by proper enforcement of the alcohol laws.<sup>13</sup>

In their guide to the industry *Unacceptable Faces*<sup>14</sup> - published after the **BMA** publication - the **Portman Group** concisely detailed their code of practice:

- The alcoholic nature of a drink must be absolutely clear.

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<sup>10</sup> [http://www.bma.org.uk/health\\_promotion\\_ethics/alcohol/Alcoholmisuserpt.jsp](http://www.bma.org.uk/health_promotion_ethics/alcohol/Alcoholmisuserpt.jsp)

<sup>11</sup> Bacardi Martini, Beverage Brands, Brown Foremen, Carlsberg, Molson Coors Brewing Co., Diageo Gt Britain, InBev UK Ltd, Pernod Ricard UK, & Scottish & Newcastle

<sup>12</sup> <http://www.portman-group.org.uk/?pid=2&level=1> accessed 24.11.09

<sup>13</sup> <http://www.portman-group.org.uk/?pid=26&level=2&nid=337> accessed 24.11.09

<sup>14</sup> <http://www.portman-group.org.uk/assets/documents/Unacceptable%20faces.pdf>

- Alcoholic strength must not be dominant.
- No association can be made with illicit drugs, bravado, aggression or antisocial behaviour.
- No suggestion can be made that drinking can make you more popular or sexually successful.
- Consumers must not be encouraged to drink rapidly or down in one.
- There must be no encouragement of illegal or immoderate consumption, binge-drinking, drunkenness or drink-driving.
- Marketing must not have a particular appeal to under-18s, or use images of people drinking who are, or look, under 25 years old.
- There must be no suggestion that drink can enhance mental or physical capabilities

And the **Portman Group** signatories – accessed at random for this article - seem to be taking their responsibilities seriously :

- In the case of under-age drinking, **Carlsberg**, has an age affirmation box on the opening page of its website, and then information on responsible drinking and the sensible units that should be consumed;<sup>15</sup>
- **PernodRicard** have a Corporate Responsibility section and write about implementing ethical marketing strategies<sup>16</sup>
- **InBev** shows a fact sheet on alcohol, has a Global Citizenship report that follows the GRI and has third party verification of this report<sup>17</sup>

Also, they support and promote **Drinkaware**, a charity focussed on responsible drinking<sup>18</sup> and, in a sign of positive action, have recently reprimanded two companies, one for producing test tube drinks (which, as they cannot be set down, seem designed to be downed in one) and the other for making inappropriate comments in the labelling of their strong beer.

### Who is right?

So, who is right? Is the **BMA** abusing its position as a guardian of public health by essentially demanding a limitation to freedom of choice? Or is the drinks industry

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<sup>15</sup> [www.carlsberg.co.uk](http://www.carlsberg.co.uk)

<sup>16</sup> [www.pernod.ricard.com](http://www.pernod.ricard.com)

<sup>17</sup> [www.InBev.co.uk](http://www.InBev.co.uk)

<sup>18</sup> <http://www.drinkaware.co.uk/>

abusing its formidable position by cynically developing and showing a responsible side, whilst at the same time promoting and selling a dangerous substance?

From a CSR perspective, the **BMA** and the **Portman Group** need to address all their stakeholders, which overlap in many instances. These are:

1. Producers of alcoholic drinks (including sales outlets)
2. Consumers / patients including the vulnerable, alcohol abusers, and taxpayers
3. Employees
4. Health experts and advisors such as the BMA
5. The Government (a) legislation (b) NHS and (c) emergency services
6. Future generations
7. The environment

The main difference is that the **Portman Group** of companies is also responsible to its various shareholders and, as businesses, they need to make money to ensure that the business repays their investment, continues to run well and pays its ongoing societal dues such as wages, insurances and taxes. It is not enough, though, that making money is the only object of the companies and, in the case of the **BMA** attack, if the **Portman Group** had been properly on the case, then they would have been able to pre-empt the negative publicity. In fact, to show themselves as truly responsible, the documents that appeared after the **BMA** report should actually have been part of an ongoing process: I for one would be very surprised if the **Portman Group** were not talking with the **BMA**.

Yet is the **BMA** listening? On the one hand we need an independent and outspoken advocate of health issues, and on the other we would hope that such an organisation would engage with, and share information about, the harms – and benefits - of alcohol, so that the message is not polarised. Clear information from both camps using the same research would be more than useful in helping their other stakeholders, especially consumers, make informed decisions<sup>19</sup>.

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<sup>19</sup> Brigid Simmonds, BBPA British Beer and Pub Association chief executive, said: "Alcohol consumption is not increasing. It has been on a firm downward trend for several years. When it comes to effective policies to tackle alcohol harm, we need a debate based on the real facts. We can now test the academic theories and models, because we now have real life experience of falling total consumption. ...As doctors keep telling us things are getting worse, these figures cast severe doubt on the claims often made that the best policies for reducing alcohol harm are those that reduce everyone's drinking."

Here, Government can help by legislating sensibly, by initiating educational campaigns through the **NHS** to all stakeholders<sup>20 21</sup> and by funding independent research on alcohol. The problem for Government is how to use the advice they receive: the UK government recently sacked their chief legal advisor, Prof. Nutt, for actively and openly speaking against government policy on the classification of drugs. The incident undermined Government credibility, showing them reluctant to listen to their advisors. It also underlined the importance of transparency. Prof Nutt may have been wrong to undermine considered Government policy and strategy, but he also has the right as an academic to publish the findings and recommendations of his research, a freedom that we have to maintain.

Our general freedom in the UK is something that we take for granted: I am sure that you would agree that we have to defend this freedom but many of us do not take the responsibilities we have to ourselves and to others seriously enough. Those of us who consume alcohol need to take responsibility for our alcohol consumption. Although, as a group, we do not generally abuse alcohol<sup>22</sup> there are vulnerable groups – such as the young – who need both to be protected and informed, and there are those who are worried who need advice. Further, the physical harm done to unborn babies as well as the psychological damage incurred by young children with a parent who is alcohol dependent must be addressed – they are our future.

There is much information on the web<sup>23</sup> about alcohol, we receive leaflets through our doors from the **NHS** and we see warnings in surgeries and supermarkets, as well as on the TV: how much more do we need to help us make informed choices about the way we run our lives?

### **Back to business**

This article asked the question about whether CSR has a role in the alcohol / prohibition debate, and focused on the recent debacle over the advertising of alcohol between the **BMA** and the drinks industry, represented by the **Portman Group**.

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<http://www.harpers.co.uk/news/news-headlines/8450-drinks-industry-attacks-90000-deaths-claim.html>

<sup>20</sup> such as the NHS Hastings and Rother Guide to Local Services 2009 / 10: Alcohol – Know your limits p.4

<sup>21</sup> The government is launching a £1.2m Christmas anti-drink-drive campaign. <http://news.bbc.co.uk/1/hi/uk/8392716.stm>

<sup>22</sup> In general, we fall into one of three subgroups: a. those who do not use alcohol; b. those who use alcohol moderately and 3. those who are addicted.)

<sup>23</sup> [www.knowyourlimits.co.uk](http://www.knowyourlimits.co.uk) / <http://units.nhs.uk/faq.html>

Marketing covers all aspects of bringing a product to market, from market research to branding, and this of course covers those two most hotly debated issues with alcohol, advertising and of pricing.

The industry certainly takes its marketing responsibilities seriously to ensure that its marketing communications are targeted at over-18s. Not only is this socially responsible, it makes commercial sense as the perception that it has an under-18s following is likely to damage the value of a given brand<sup>24</sup>.

Marketing responsibly – two words that once would have seemed unlikely bedfellows – is no longer a nice to have but an essential, as the reputation of a company and its brands become increasingly important as a source of competitive edge. The **Portman Group** has its own code and all alcohol producers in any case, large and small, should have a code of ethics for business guidance: those that do not could do worse than start with the **American Marketing Association's** Ethical Norms where as marketers “we must...Do no harm...foster trust in the marketing system...and embrace ethical codes” via their Ethical Values<sup>25</sup>:

- Honesty – to be forthright in dealings with customers and stakeholders.
- Responsibility – to accept the consequences of our marketing decisions and strategies.
- Fairness – to balance justly the needs of the buyer with the interests of the seller.
- Respect – to acknowledge the basic human dignity of all stakeholders.
- Transparency – to create a spirit of openness in marketing operations.
- Citizenship – to fulfil the economic, legal, philanthropic and societal responsibilities that serve stakeholders

From a pure advertising angle – and this is something that the **BMA** would agree with – all companies should follow this advice:

carry out a “devil’s advocate” debate on your existing approach to advertising. What are the angles that a critic will find to argue that your advertising is unethical or has a detrimental impact?<sup>26</sup>

Advertising, as one of the tools in the marketer’s chest, is about communicating and if they stand up to the “devil’s advocate” approach is an important – and often entertaining

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<sup>24</sup> <http://www.portmangroup.co.uk/assets/documents/DigitalMarketingGuidelines.pdf>

<sup>25</sup> <http://www.marketingpower.com/AboutAMA/Pages/Statement%20of%20Ethics.aspx>

<sup>26</sup> Mallen Baker, Marketing Responsibly: Addressing the Ethical Challenges (Institute of Business Ethics, 2009) p.46



- part of transparency in our society as there are checks and balances in place via the Advertising Standards Authority. The **BMA** is also concerned about the need for proper communication in the patient / doctor relationship:

Human rights protect and promote the integrity and dignity of all human beings. In the context of the relationship between health professionals and their patients, this demands good communication<sup>27</sup>

Its demand for the banning of advertising, whilst potentially serving a real purpose for some key stakeholders, is actually at odds with the general freedom of information that we also have a right to.

Eventually, there will probably be a pharmacological answer to the problems caused by alcohol<sup>28</sup>, to give the high without the potentially nasty side effects but, until the taste and flavours are replicated as well, the drinks industry will still have a market. And to ensure that they are still in the game, an even more fervent commitment to CSR, particularly in focussing on its stakeholder commitments, would be prudent.

Further, those of us who consume alcohol need to look at our own personal responsibility and, whether we like it or not, look hard at our drinking habits. As a start, the presenter in the **BBC** Horizon programme already mentioned suggested that we ask ourselves three questions about our use of alcohol:

1. What is it for?
2. Why do I do it?
3. Could I do without it?

If, as stakeholders in a society that does show ambivalence to the consumption of alcohol, we were to deal seriously with our personal drinking and to take serious action if our drinking is harmful, then this would help support the BMA and its interests in our health and give a strong message to the drinks industry that their CSR activities should be intensified. CSR certainly has a key role in the interplay of alcohol and prohibition to ensure that the drinks industry is itself responsible and ethical whilst, at the same time, ensuring that we are able to enjoy alcoholic drinks as one of our freedoms. The key words for all stakeholders to have in mind are social and responsibility.

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<sup>27</sup> [http://www.bma.org.uk/images/Righttohealth\\_tcm41-147084.pdf](http://www.bma.org.uk/images/Righttohealth_tcm41-147084.pdf)

<sup>28</sup> See Horizon ibid