

# ASC ALCOHOLIC BEVERAGE ADVERTISING CLEARANCE GUIDE



## *A GUIDE TO REVIEWING ALCOHOLIC BEVERAGE ADVERTISING UNDER THE CRTC CODE FOR BROADCAST ADVERTISING OF ALCOHOLIC BEVERAGES*

### **About this Guide**

This Guide is intended to help advertisers, agencies and broadcasters prepare commercial messages that comply with the provisions of the *CRTC Code for Broadcast Advertising of Alcoholic Beverages (CRTC Code)*. The objective of the *CRTC Code* is to ensure that “alcoholic beverage advertising does not contribute to the negative health and societal effects relating to excessive or inappropriate alcohol consumption” (Public Notice CRTC 1996-108). In addition, alcohol advertising “must not be designed to promote the general consumption of alcoholic beverages” (Public Notice CRTC 1996-108).

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In 1997, at the request of the alcoholic beverage industry and broadcasters in Canada, ASC Clearance Services began reviewing and approving alcoholic beverage advertising intended for broadcast on Canadian radio and television stations.

The criteria applied by ASC Clearance Services to alcoholic beverage advertising copy are found in the *CRTC Code for Broadcast Advertising of Alcoholic Beverages (CRTC Code)*. The *CRTC Code* has been interpreted by the CRTC in its *Interpretation Guidelines* that accompany the *CRTC Code*. ASC approval and clearance numbers are assigned to submissions that, in ASC's judgement, comply with the CRTC criteria.

This review by ASC Clearance Services provides value to:

- Consumers, who can expect that commercials for alcoholic beverages comply with the *CRTC Code*.
- Alcoholic beverage advertisers and their advertising agencies, who want assurance that their commercials meet the provisions of the *CRTC Code*.
- Broadcasters, who look for the approval number as evidence that the commercial complies with the *CRTC Code*.

Although it is ASC Clearance Services that applies the *CRTC Code*, the authority for its contents and provisions rests ultimately with the CRTC itself.

### **ABOUT ASC CLEARANCE SERVICES FOR ALCOHOLIC BEVERAGE ADVERTISING**

ASC provides the following clearance services:

#### **1) Review of radio and television advertising under the provisions of the *CRTC Code***

- The *CRTC Code* applies to all broadcast advertising of alcoholic beverages in Canada.

#### **2) Review under the Ontario and BC regulatory frameworks**

- a) In Ontario, the *Alcohol and Gaming Commission of Ontario Liquor Advertising Guidelines: Liquor Sales Licensees and Manufacturers (AGCO Guidelines)* apply to all alcoholic beverage advertising.
  - On request, ASC Clearance Services will review broadcast, out-of-home, print, web advertising and promotional materials under the provisions of the *AGCO Guidelines*.
- b) In British Columbia, the *CRTC Code* applies to all advertising of alcoholic beverages (e.g. broadcast advertising as well as out-of-home, print, web advertising, promotional materials, etc.).
  - On request, ASC Clearance Services will review non-broadcast advertising under the provisions of the *CRTC Code*.

# HOW TO SUBMIT ALCOHOL ADVERTISING TO ASC CLEARANCE SERVICES

## 1. COMPLETE OUR E-CLEARANCE SUBMISSION FORM

To securely submit an advertisement for ASC Clearance Services review, please complete the ASC submission form on the ASC e-Clearance page and attach your digital media file(s).

The e-Clearance page can be found here <https://adstandards.com/eClearance/en/Login.aspx>

The Clearance Rates can be found here <http://adstandards.com/en/Clearance/clearanceRates.aspx>

## 2. REQUIRED MATERIALS TO BE ATTACHED

Media	Required Materials
TV	Script with detailed video description.
Radio	Script with detailed audio description (SFX).
Print/Out-of-home/P.O.P. materials/Web/Other	A printable copy of the advertising.

## 3. WHAT HAPPENS NEXT?

We will complete our review and respond to you within the turnaround time specified in the confirmation email you received upon submitting.

## Submission Tips

Here are a few tips to help expedite the clearance process:

### ✓ CONSULT US EARLY

Talk to us at the earliest possible stage of creative development. Before incurring the cost of producing a commercial or even an animatic, we can work with you to ensure that your concept and copy comply with the applicable regulations.

### ✓ PROVIDE ALL REQUESTED INFORMATION ON THE SUBMISSION FORM

Complete every part of the form that applies. Be sure to select:

- ▶ **“Product” or “Sponsorship”**
  - Check “product” if the ad identifies an alcoholic beverage or the availability of alcoholic beverages and includes descriptive or qualifying claims (e.g. any tagline is a descriptive or qualifying claim: “Hammer Lager tastes great”).
  - Check “sponsorship” if the ad is limited to naming, illustrating or identifying the alcoholic beverage and/or its price, but includes no descriptive or qualifying claims or representations about the product (e.g. “brought to you by Hammer Lager”).
- ▶ **“CRTC” and/or “AGCO”**

ASC Clearance Services provides review under both the *CRTC Code* and the *AGCO Guidelines*. So which

of these apply to your advertising? This depends on two things: 1) the market in which the ad will run and 2) the media. Be sure to indicate which of these services you require.

Media / Market	TV	Radio	Print/Out-of-Home/ Web/Marketing Materials
Anywhere in Canada	CRTC	CRTC	
Ontario	CRTC AGCO	CRTC AGCO	AGCO
British Columbia	CRTC	CRTC	CRTC

*Please note that in the province of Quebec preclearance is required by the provincial liquor board under its regulations (see page 3).*

### ✓ SUBMIT VIDEO, ROUGH CUTS AND/OR STORYBOARDS (IF AVAILABLE)

A picture paints a thousand words. So while we require only a script and detailed video description for television commercials, the more you share with us, the more expeditiously we can review your ad.

## OTHER REQUIRED CLEARANCES

### *PROVINCIAL GOVERNMENTS*

Note: While each province has its own regulations/guidelines for advertising of alcoholic beverages, only Quebec requires preclearance.

All alcoholic beverage advertising that appears in Quebec requires preclearance from the:

**Régie des alcools, des courses et des jeux**

Étude des messages publicitaires en matière de boissons alcooliques

560 Charest Boulevard, East

Quebec, QC G1K 3J3

Phone: 418 643-4312

Email: [racj.publicite@racj.gouv.qc.ca](mailto:racj.publicite@racj.gouv.qc.ca)

Web: [www.racj.gouv.qc.ca](http://www.racj.gouv.qc.ca)

### *TELECASTER SERVICES OF THINKTV (TELECASTER)*

For information on Telecaster Services of thinktv, you can call (416) 923-8813 or send an e-mail to [info@thinktv.ca](mailto:info@thinktv.ca). All submissions to Telecaster must be made online at [www.tvb.ca](http://www.tvb.ca). Telecaster can be reached at:

thinktv

Telecaster Services

160 Bloor Street East, Suite 1005

Toronto, ON M4W 1B9

Email: [info@thinktv.ca](mailto:info@thinktv.ca)

Web: [www.tvb.ca](http://www.tvb.ca)

At your request, ASC Clearance Services will forward your approved submission to Telecaster. However, you must follow up directly with Telecaster on the status of your submission.

To facilitate understanding, ASC has grouped the clauses of the *CRTCCode* under six key themes:

1. Advertising must not encourage the general consumption of alcohol (Clauses A, I, K and N).
2. Advertising must not promote the irresponsible or illegal use of alcohol (Clauses H, J, O, P and Q).
3. Advertising must not associate alcohol with social or personal achievement (Clauses E, G and F).
4. Advertising must not be directed to persons under the legal drinking age (Clauses B, C and D).
5. Advertising must not associate alcohol with the use of motor vehicles or with activities requiring a significant degree of skill or care (Clauses L and M).
6. Contest and promotion requirements (Clause A).

This Advisory is not intended to be exhaustive. Nor is it possible in this document to provide any context for the examples that are given. A particular situation or copy line may or may not be acceptable depending on the net impression conveyed by the advertisement overall.



## 1.0 ADVERTISING MUST NOT ENCOURAGE THE GENERAL CONSUMPTION OF ALCOHOL

Although alcoholic beverage advertising must not encourage the general

consumption of alcohol, it can promote brand preference.

### 1.1 THE COMMERCIAL MESSAGE MUST NOT BE DIRECTED TO NON-DRINKERS [CLAUSE (A)]

Do not depict any scenario where alcohol is offered to a possible non-drinker.

- Messages promoting alcoholic beverages must target drinkers.
- It is not permitted to offer alcohol to a stranger. It must be clear that the person who offers the alcohol knows that the other one drinks alcohol.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
A man offers a beer to an obvious stranger.	<i>Clause (a)</i> He doesn't know whether or not the stranger drinks alcohol.	A man offers a beer to a friend (he knows his friend drinks alcohol).

### 1.2 THE COMMERCIAL MESSAGE MUST NOT EXAGGERATE THE PRODUCT'S IMPORTANCE [CLAUSE (I)]

- Do not imply that people “love” or “live for” (or have a similar affinity for or attachment to) the product.
- Do not give the product undue importance.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
“I love this beer!”	<i>Clause (i)</i> Strong emotions, such as love, may not be associated with one's feelings about alcohol.	“I really like this beer!”

### 1.3 THE COMMERCIAL MESSAGE MUST NOT USE IMPERATIVE LANGUAGE TO URGE THE PURCHASE OR CONSUMPTION OF ALCOHOLIC BEVERAGES [CLAUSE (K)]

- Do not use verbs in the imperative tense that are synonymous with “buy” or “drink.”

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
“Have a Hammer Lager today.”	<i>Clause (k)</i> “Have” is used in the imperative tense (as in “drink”).	“Why not have a Hammer Lager today?”
“Pick up any Italian wine ...”	<i>Clause (k)</i> “Pick up,” in this context, means “buy.”	“When you pick up any Italian wine ...”

### 1.4 ADVERTISING MUST NOT CONTAIN INDUCEMENTS TO PREFER AN ALCOHOLIC BEVERAGE BECAUSE OF ITS HIGHER ALCOHOL CONTENT [CLAUSE (N)]

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
“At 7%, Hammer Lager is bitingly great.”	<i>Clause (n)</i> The higher alcohol level is used as an inducement to prefer the product.	“Hammer Lager at 7%.”



## 2.0

### ADVERTISING MUST NOT PROMOTE THE IRRESPONSIBLE OR ILLEGAL USE OF ALCOHOL

Alcohol advertising must be consistent with the principles of responsible use and handling of alcohol

### 2.1

#### THE COMMERCIAL MESSAGE MUST NOT IMPLY OR DEPICT IMMODERATE CONSUMPTION [CLAUSE (H)]

- According to the interpretation provisions of the CRTC Code, Clause (h) permits no more than one standard serving per person.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
Two people sitting in front of the TV with a six pack.	<i>Clause (h)</i> Six beers and two people = three beers each.	Two guys sitting in front of the TV, each holding one bottle.
Someone comes home with a six pack and sits on the couch next to the pack.	<i>Clause (h)</i> It appears this person will consume more than one bottle.	Someone comes home, puts a 24 in the fridge, takes one out and sits on the couch.
A couple in a restaurant with a full bottle of wine.	<i>Clause (h)</i> A bottle of wine contains more than one serving per person.	A couple in a restaurant with a glass of wine each.
A group of five people are sitting at a table with a 750 mL bottle of liquor.	<i>Clause (h)</i> Implies that they will have more than one serving per person.	A group of five people are sitting at a table with one single serving of liquor per person (the bottle is not on the table).

### 2.2

#### THE COMMERCIAL MESSAGE MUST NOT DEPICT OR SUGGEST PRODUCT MISUSE OR PRODUCT DEPENDENCY [CLAUSE (J)]

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
“Man, I need a beer.”	<i>Clause (j)</i> “Needing” a drink is a sign of alcohol dependency.	“Man, a beer sure would be nice.”
Someone runs madly through traffic to get a drink at a bar.	<i>Clause (j)</i> Putting one’s life in danger to get a drink suggests urgency of need.	Someone waits calmly in line to get a drink.
“I can’t wait for the day to end so I can crack open a Hammer Lager!”	<i>Clause (j)</i> This suggests the person is in urgent need of a drink.	“I can’t wait for the day to end so I can meet my friends and maybe crack open a Hammer Lager!”

### 2.3

#### THE COMMERCIAL MESSAGE MUST NOT DEPICT OR REFER TO THE EFFECT OF ALCOHOL [CLAUSE (O)]

- Do not depict any type of behaviour that is commonly associated with drunkenness.
- Do not imply that drinking an alcoholic beverage may produce any positive or negative physiological effect such as: gives an energy boost; makes one drunk; chills you out; etc. The one exception: it’s acceptable to say the product is “thirst quenching.”

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
“Shlepps Vodka has the power to move you.”	<i>Clause (o)</i> Implies the effect of alcohol. An alcoholic beverage may not be described as having “power” or ability to “move” someone.	“Shlepps Vodka has a flavour that rocks.”



## 2.4 THE COMMERCIAL MESSAGE MUST NOT DEPICT THE PRODUCT IN SITUATIONS IN WHICH THE CONSUMPTION OF ALCOHOL IS PROHIBITED [CLAUSE (P)]

- Do not depict scenarios where consumption may occur in venues where consumption is prohibited.

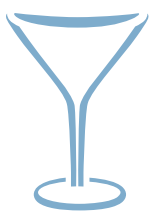
**Note:** The handling of alcohol must also comply with applicable Canadian provincial regulations.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
A party on a public beach with alcohol present.	<i>Clause (p)</i> It is prohibited to consume alcohol on a public beach.	A party in someone's private backyard with alcohol present.
People having beer at a baseball diamond in a public park.	<i>Clause (p)</i> This is not a licensed drinking area.	People having beer at a private residence after the game.

## 2.5 THE COMMERCIAL MESSAGE MUST NOT IMPLY OR DEPICT ACTUAL CONSUMPTION [CLAUSE (Q)]

- All bottles and glasses must be full.
- Do not use any visuals or sound effects that imply product consumption.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
Shot of someone holding a half-empty bottle or a half-filled glass.	<i>Clause (q)</i> Implies product has been consumed.	Shot of someone holding a full bottle or a full glass.
SFX of gulp and "Ahhh!"	<i>Clause (q)</i> Implies product is being consumed.	SFX of bottle opening and liquid pouring into a glass.
Depicting empty glasses, the morning after a party.	<i>Clause (q)</i> Implies that product was consumed the night before.	Depicting the morning after a party but removing all signs of alcohol service.



## 3.0 ADVERTISING MUST NOT ASSOCIATE ALCOHOL WITH SOCIAL OR PERSONAL ACHIEVEMENT

Alcoholic beverage commercials must not imply that alcohol can improve a person's quality of life.

## 3.1 THE COMMERCIAL MESSAGE MUST NOT IMPLY THAT THE PRODUCT WILL HELP YOU ESCAPE FROM LIFE'S PROBLEMS [CLAUSE (E)]

- Do not show someone relying on alcohol to get over a bad experience or troubling times.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
A guy comes home to find his place in a shambles. He pours himself a scotch and suddenly it appears that he has no cares in the world.	<i>Clause (e)</i> Alcohol presented as an escape.	A guy comes home to an apparently peaceful house and home life. He pours himself a scotch.
"Man what a day, I could really use a beer."	<i>Clause (e)</i> Alcohol presented as a means of coping with a bad day.	"Hey, it's 5:30. Wanna go for a beer?"

## 3.2 THE COMMERCIAL MESSAGE MUST NOT IMPLY THAT THE PRODUCT IS ESSENTIAL TO THE ENJOYMENT OF A SITUATION OR TAKES PRECEDENCE OVER OTHER ACTIVITIES [CLAUSES (G) AND (E)]

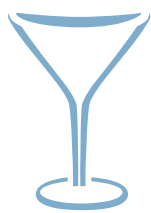
- Do not imply that alcohol causes a "change."
- Do not portray any kind of "before and after" scenarios where the situation improves after the alcoholic product is introduced.
- Alcohol should not be presented as the reason for selecting any activity.
- It should not be suggested that alcohol is superior to food or non-alcoholic beverages.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
Someone skipping out of work to get a drink.	<i>Clause (e)</i> Alcohol takes precedence over another activity.	Someone going for a drink <i>after</i> work.
A guy misses an important event (like his sister's wedding) because he is out drinking beer.	<i>Clause (e)</i> Drinking beer should not take priority over an important event.	A guy misses his sister's wedding to go to the championship baseball game (where, incidentally, he may have a beer).
Guests cheering and surrounding someone who arrives at a dull and dry party with a case of beer.	<i>Clause (g)</i> Alcohol is essential to the enjoyment of the party.	Guests surrounding someone who arrives at a party with a preferred brand to the one being served.
"What kind of weekend would it be without Lumberjack Ale?"	<i>Clause (g)</i> The beer is integral to the enjoyment of the weekend.	"It's the weekend. How about a Lumberjack?"
"Make your celebration perfect. Make it Marquis Champagne."	<i>Clause (g)</i> Implies that the celebration would not be successful without this product.	"Marquis Champagne: A perfect complement to your celebration."

### 3.3 THE COMMERCIAL MESSAGE MUST NOT IMPLY THAT THE PRODUCT WILL MAKE YOU MORE SUCCESSFUL [CLAUSE (F)]

- Do not imply that success will in any way result from consuming the product.
- While you may imply that certain kinds of people drink the product, do not imply that one can become like them by consuming the product.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
“A Rebel Lager man always wins.”	<i>Clause (f)</i> Implies that the product contributes to his success.	“Rebel Lager. Brewed and enjoyed by rebels since 1842.”
“The road to success begins with Aberdeen Scotch.”	<i>Clause (f)</i> Implies that the product contributes to success.	“Aberdeen Scotch. For those who’ve achieved success.”



## 4.0 ADVERTISING MUST NOT BE DIRECTED TO PERSONS UNDER THE LEGAL DRINKING AGE

### 4.1 THE COMMERCIAL MESSAGE MUST NOT, IMPLICITLY OR EXPLICITLY, BE DIRECTED TO PERSONS UNDER THE LEGAL DRINKING AGE [CLAUSES (B), (C) AND (D)]

- The commercial, in all its elements (including style, tone, music, imagery, gestures and themes) must be obviously directed to persons of legal drinking age.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
Depicting a scenario that involves university freshmen.	<i>Clause (b)</i> Not all freshmen are of legal drinking age.	Depicting a scenario that involves the new (obviously mature) guy in the office.
The prize in a contest sponsored by an alcoholic beverage manufacturer is tickets to a concert by a “teen idol.”	<i>Clauses (b) and (c)</i> Most persons over the legal drinking age do not listen to “teen idols.”	The prize is tickets to see a popular band that appeals predominantly to persons over the legal drinking age.

### 4.2 THE COMMERCIAL MUST NOT PORTRAY PERSONS UNDER THE LEGAL DRINKING AGE [CLAUSE (B)]

- All actors in the commercial must clearly be of legal drinking age. It is recommended that all actors be, and appear to be, over the age of 25.

Persons under the legal drinking age may appear, but not be prominently featured, in an advertisement of an event (concert, festival, sports, etc.) that is identified as being sponsored, in whole or in part, by an alcoholic beverage manufacturer if:

- a) no alcoholic beverage forms part of the name of the event; and
- b) the message is obviously directed to persons over the legal drinking age; and
- c) it is apparent from the advertisement that its **primary purpose** is to inform adults about an upcoming event and, optionally, the sponsor of the event, rather than to promote the sale of one or more specific alcoholic beverages; and
- d) there are no signs of alcohol service or mention that alcohol is available for sale.

Event sponsorship advertising as described above will be characterized as alcoholic beverage advertising, rather than event sponsorship advertising, if any alcoholic beverage product is shown in the commercial.

### 4.3 THE COMMERCIAL MUST NOT DEPICT SYMBOLS, ARTICLES OR ACTIVITIES USUALLY ASSOCIATED WITH YOUTH [CLAUSE (B)]

- Do not use children’s toys, children’s clothing, playground equipment, etc.
- Do not use mythical or fairy-tale characters that appeal to children.
- Do not use animation, animated characters or mascots that appeal to children.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
Cooling off in a “kiddie” pool.	<i>Clause (b)</i> “Kiddie” pools are intended for children.	Cooling off in a regular pool if it is made clear that this is occurring before any consumption of alcohol.
Santa Claus, Tooth Fairy, Easter Bunny.	<i>Clause (b)</i> These are characters that have a special appeal to minors.	A Christmas tree with presents.

## 4.4

### THE COMMERCIAL MUST NOT PORTRAY ACTIVITIES ATTRACTIVE PRIMARILY TO YOUTH [CLAUSE (C)]

- Performances, events or concerts depicted or promoted in a commercial must not appeal predominantly to persons under the legal drinking age.
- Activities, sports, hobbies or other pursuits depicted in the commercial must only include participants who are clearly over the legal drinking age.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
Skateboarding	<i>Clause (c)</i> Skateboards tend to be used primarily by minors.	In-line skating
Spin the bottle	<i>Clause (c)</i> Generally, persons over the legal drinking age do not play spin the bottle.	Playing board games at the cottage.
Scouts, Brownies, minor hockey.	<i>Clause (c)</i> These are youth-oriented organizations.	Adult softball league, veterans' club, the "lodge," etc.

## 4.5

### COMMERCIALS FOR ALCOHOLIC BEVERAGES MUST NOT CONTAIN AN ENDORSEMENT BY A PERSON, CHARACTER OR GROUP WHO IS LIKELY TO BE A ROLE MODEL FOR MINORS [CLAUSE (D)]

- The intent of this clause is to ensure that persons, characters or groups well known to minors do not use their special role-model status to influence minors to purchase or consume alcoholic beverages.
- A "role model" for minors is a person, character or group regarded as an inspiration or example by those under the legal drinking age. This applies as much to a negative role model as it does to widely recognized persons known to be associated with children's groups, charities, associations or advocacy activities benefiting children.

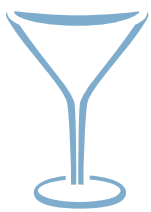
Based on Clause (d), persons, characters or groups will be unacceptable in alcoholic beverage advertising if they:

- are engaged or have achieved success in an area of endeavour (e.g. sports, entertainment, media, etc.) that appeals to, or is believed to have an influence on, minors **AND**
- are generally well known to minors;  
or
- if they are engaged in an occupation (e.g. firefighters, police officers, teachers, etc.) that appeals to, or is believed to have an influence on, minors.

Once established as a role model for minors, a person will be considered to remain a role model for a period of 10 years from the date of retirement from the activity. However, even if a celebrity has been retired for 10 years or more, continued broad exposure in the media through business, social, or charitable activities would still qualify this person as a role model.

This prohibition does not apply to well-known persons who are featured in contests or promotions unless they endorse the alcoholic beverage product or the manufacturer.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
A currently famous athlete enjoys a beer after a game.	<i>Clause (d)</i> He is a role model who has achieved success in an area of endeavour that has an influence on minors.	An unknown actor portrays an unknown athlete enjoying a beer after a game.
"Prime Lager. The beer of the Canadian Firefighters Hockey League."	<i>Clause (d)</i> This suggests that the league endorses the beer (and that, consequently, it is the beer of choice among its athletes).	"Prime Lager. Official sponsor of the Canadian Firefighters Hockey League."



## 5.0

### ADVERTISING MUST NOT ASSOCIATE ALCOHOL WITH THE USE OF MOTOR VEHICLES OR WITH ACTIVITIES REQUIRING A SIGNIFICANT DEGREE OF SKILL OR CARE

Alcoholic beverage commercials must not associate consumption of alcohol with the operation of a motor vehicle or other conveyance, nor may alcohol consumption be associated with an activity requiring a significant degree of skill, attention or involving an element of danger.

### 5.1

#### UNLESS THE ACTIVITY IS CLEARLY COMPLETED FOR THE DAY, COMMERCIALS MAY NOT DEPICT A PERSON WITH ALCOHOL INVOLVED IN ANY ACTIVITY, INCLUDING OPERATING A MOTORIZED VEHICLE, THAT REQUIRES A SIGNIFICANT DEGREE OF SKILL, CARE OR MENTAL ALERTNESS OR INVOLVING AN OBVIOUS ELEMENT OF DANGER [CLAUSES (L) AND (M)]

- If someone has a drink after driving a car, it must be clear that he will not be driving after drinking.

NOT ACCEPTABLE	WHY NOT	POSSIBLE FIX
Driving to a bar.	<i>Clause (l)</i> Suggests that the person will drive home after drinking.	Taking a cab or walking to a bar.
Driving to the cottage; pulling out a case of beer from the trunk with no clear indication that this is not a “day trip.”	<i>Clause (l)</i> The person might drive after consuming alcohol.	Stopping the car at a remote cabin in the woods; opening the trunk to reveal a case of beer along with packed bags, groceries and sleeping bags.
Having a martini and then returning to work.	<i>Clause (m)</i> Work requires skill and attention.	Having a martini after work.
A musician having a beer on stage.	<i>Clause (m)</i> His work requires skill and attention.	A musician having a beer at the end of his performance.
The chef is having a beer while barbecuing.	<i>Clause (m)</i> Operating a barbecue involves an element of danger.	The chef does not have a beer. People around him have beers in their hands.
Serving drinks at a poolside setting to people wearing swimsuits.	<i>Clause (m)</i> Suggests they may go swimming after drinking alcohol.	Serving drinks at a poolside setting to people who have clearly finished swimming for the day.



## 6.0

### CONTEST AND PROMOTION REQUIREMENTS

It is unacceptable [under *Clause (a)*] to make contests and promotions conditional on the purchase or consumption of alcohol.

The following chart details the *CRTC Code* requirements under *Clause (a)*:

REQUIRED INFORMATION	TELEVISION	RADIO
Statement re. “No purchase necessary.”	Audio AND video	Audio
Statement re. “Must be legal drinking age.”	Audio AND video	Audio

Each commercial must also state a method for obtaining a premium, or for participating in a contest or promotion, without purchase (e.g. “call 1-800-123-\*\*\*\* for details”).

## CRTC CODE FOR BROADCAST ADVERTISING OF ALCOHOLIC BEVERAGES AND ITS INTERPRETATION GUIDELINES

CRTC - August 1996

### COMMERCIAL MESSAGES FOR ALCOHOLIC BEVERAGES SHALL NOT:

**(a) attempt to influence non-drinkers of any age to drink or to purchase alcoholic beverages;**

With reference to paragraph (a):

A message should not challenge or dare people to drink or to try a particular alcoholic beverage.

In the event of a promotion, contest or premium offer, there should be at least one clearly stated option that permits participation without purchase of the product and without cost to the participants. It should also be stated that participation is limited to those who are of legal drinking age in the province where the message is to be aired. In television advertisements, in deference to members of the audience who may have impaired vision or hearing, such options and restrictions should be described both verbally and in writing. The written version of the message should be of such size, placement and duration as to be clearly visible.

**(b) be directed at persons under the legal drinking age, associate any such product with youth or youth symbols, or portray persons under the legal drinking age or persons who could reasonably be mistaken for such persons in a context where any such product is being shown or promoted;**

With reference to paragraph (b):

The message should be overtly directed to persons who are of the legal drinking age in the province where the message is broadcast. No such message should depict, under any circumstances, children, children's toys, children's clothing, playground equipment or wading pools. Objects that are commonly used by children, but not considered childish when used by adults (e.g. most sports equipment, Frisbees and colouring pencils) may be depicted in such messages. Mythical or fairy-tale characters appealing to children, such as Santa Claus, the Tooth Fairy, the Easter Bunny or Hallowe'en characters and symbols, should not be depicted in such messages under any circumstance.

**(c) portray the product in the context of, or in relation to, an activity attractive primarily to people under the legal drinking age;**

With reference to paragraph (c):

The product should not be portrayed in the context of, or in relation to, for example, a performance, event or activity where the audience or the participants are expected to be predominantly people under the legal drinking age or where the television or film audiences of the featured performer(s) consist predominantly of people under the legal drinking age.

**(d) contain an endorsement of the product, personally or by implication, either directly or indirectly, by any person, character or group who is or is likely to be a role model for minors because of a past or present position of public trust, special achievement in any field of endeavour, association with charities and/or advocacy activities benefiting children, reputation or exposure in the mass media;**

With reference to paragraph (d):

Once established as a role model for minors, a person will be considered to remain a role model for a period of 10 years from the date of retirement from the activity.

**(e) attempt to establish the product as a status symbol, a necessity for the enjoyment of life or an escape from life's problems, or attempt to establish that consumption of the product should take precedence over other activities;**

**(f) imply directly or indirectly that social acceptance, social status, personal success, or business or athletic achievement may be acquired, enhanced or reinforced through consumption of the product;**

**(g) imply directly or indirectly that the presence or**

**consumption of alcohol is, in any way, essential to the enjoyment of an activity or an event;**

With reference to paragraph (g):

Commercial messages should not suggest that the presence or consumption of alcohol may create or contribute to an apparent change in mood, atmosphere or environment, or that a social gathering, celebration or any other activity is, or would be, incomplete or unsatisfactory without the product. In the depiction of alcoholic beverages as part of a celebration, advertisements should not imply or suggest that the presence or consumption of the beverage itself is essential to the success of the activity.

It is acceptable to say that one alcoholic beverage is superior in some way to any or all other similar alcoholic beverages, but it is not acceptable to suggest or imply that it is superior to any or all foods or non-alcoholic beverages.

**(h) portray any such product, or its consumption, in an immoderate way;**

With reference to paragraph (h):

Under this provision, a message should not portray (1) an unrealistic or excessive number of cases or containers or any excessive volume of the product in a context where consumption may reasonably be expected to occur; or (2) any quantity of containers or volume of the product in a context where the number of individual standard servings represented exceeds or may appear to exceed the number of individuals shown. This provision does not prohibit depiction of the manufacturing, warehousing, distribution or commercial storage of alcoholic beverages.

**(i) exaggerate the importance or effect of any aspect of the product or its packaging;**

**(j) show or use language that suggests, in any way, product misuse or product dependency, compulsive behaviour, urgency of need or urgency of use;**

**(k) use imperative language to urge people to purchase or consume the product;**

**(l) introduce the product in such a way or at such a time that it may be associated with the operation of any vehicle or conveyance requiring skill;**

With reference to paragraph (l):

Introduction of the product will be deemed to have occurred

upon the introduction of a flat label, jingle, musical signature, logo, brand name, character or other symbol commonly used to identify the product or its manufacturer. It is unacceptable to suggest or imply that the product is or should be consumed prior to or during operation of any vehicle or conveyance or the riding of an animal. It is acceptable to suggest or imply that consumption may occur after all operation depicted in the message has been clearly completed for the day. It is also acceptable to suggest or imply that consumption may occur (among passengers only) on an aircraft or vessel operated by a professional crew.

**(m) introduce the product in such a way or at such a time as may associate the product with any activity requiring a significant degree of skill, care or mental alertness or involving an obvious element of danger;**

With reference to paragraph (m):

Introduction of the product will be deemed to have occurred upon the introduction of a flat label, jingle, musical signature, logo, brand name, character or other symbol commonly used to identify the product or its manufacturer. It is unacceptable to suggest or imply that the product is or should be consumed prior to or during any such activity. It is acceptable to introduce the product after all such activity depicted in the message has been clearly completed for the day.

**(n) contain inducements to prefer an alcoholic beverage because of its higher alcohol content;**

**(o) refer to the feeling and effect caused by alcohol consumption or show or convey the impression, by behaviour or comportment, that the people depicted in the message are under the influence of alcohol;**

**(p) portray persons with any such product in situations in which the consumption of alcohol is prohibited; or**

**(q) contain scenes in which any such product is consumed, or that give the impression, visually or in sound, that it is being or has been consumed.**



*VISIT US ONLINE*

Visit the Alcohol Advertising Clearance section on our web site at [www.adstandards.com/clearance](http://www.adstandards.com/clearance) to meet our team of analysts and to learn about developments in alcohol advertising clearance and ASC Clearance Services presentations and workshops.

### Advertising Standards Canada

Advertising Standards Canada is the independent advertising industry self-regulatory body committed to creating and maintaining community confidence in advertising. ASC members – leading advertisers, advertising agencies, media organizations and suppliers to the advertising industry – are committed to supporting responsible and effective advertising self-regulation.

### ASC Clearance Services

Through ASC Clearance Services, ASC reviews advertising to facilitate compliance with specific laws and regulations in five regulated categories – alcoholic beverages, children’s, consumer drugs, cosmetics, and food and non-alcoholic beverages.

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