Self-Regulation of Beer Advertising: A Comparative Analysis of Perceived Violations by Adolescents and Experts†

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INTRODUCTION

In 2012, 5.1% of the global burden of disease was attributable to alcohol, and alcohol appears to be related to 3.3 million deaths each year (WHO, 2014). Among the global strategies to reduce harmful alcohol consumption, the protection of vulnerable populations, such as children and adolescents, from exposure to alcohol advertising is one measure that may be effective. Research suggests that exposure to alcohol ads is associated with positive alcohol expectancies among adolescents and has been linked to increased alcohol consumption and alcohol-related problems among adolescents (Stacy et al., 2004; Snyder et al., 2006; Collins et al., 2007; Henriksen et al., 2008; Faria et al., 2011; Grenard et al., 2013; Rhoades and Jernigan, 2013). Adolescents have also been found to present positive affective responses to ads.

Brazil’s alcohol industry developed a self-regulatory marketing and advertising code in 1970 in collaboration with the advertising industry. The code’s purpose is to promote responsible advertising of alcoholic beverages and avoid negative impacts on vulnerable populations (Vendrame et al., 2009). The rules and restrictions in the Brazilian code are based on two core principles: protecting children and adolescents by prohibiting ads from being directed at this audience
and prohibiting encouragement of abusive or irresponsible consumption of alcoholic beverages. The code contains 17 guidelines designed to regulate alcohol ads in accordance with these principles.

Studies in a number of countries, including the USA, the Netherlands, Australia and Brazil, have shown that self-regulatory systems are ineffective at preventing code violations in alcohol advertising (Jones, 2000; Jones and Donovan, 2002; Room et al., 2005; Anderson, 2008; Vendrame et al., 2009; Vendrame and Pinsky, 2011; Babor et al., 2013). Recent efforts by the industry to revise self-regulatory codes generally have resulted in fewer code violations, but only as a consequence of more lenient guidelines (Babor et al., 2010a,b). Moreover, studies have typically not included members of vulnerable populations, instead relying on expert ad raters, yet advertisements may be interpreted more severely by experts, who may have tendencies to see violations even in situations where moderate levels of drinking occur (Babor et al., 2010a,b). Alternatively, adolescents may perceive excessive drinking as normal, and therefore tend to underreport code violations (Proctor et al., 2005). Thus, comparisons of ad ratings between expert raters and members of vulnerable populations become crucial to determining the true effectiveness of marketing regulation guidelines.

In the global context, self-regulation of alcohol marketing is being promoted by industry-sponsored organizations, such as the International Center for Alcohol Policies (ICAP). ICAP (2014) offers detailed advice on how to develop and implement self-regulatory codes through a series of guides and ‘tool kits’ that are available on their website. The industry’s overt and active support for self-regulation in the face of mounting empirical evidence that self-regulation is ineffective has led to global concerns among public health agencies about accountability.

In Brazil, there is growing interest in developing methodologically sound rating scales to evaluate alcohol ad content for the purpose of protecting vulnerable populations and prohibiting practices that encourage irresponsible consumption (Vendrame et al., 2010) and to facilitate the creation of a more effective system for monitoring alcohol advertising content and better evaluations of the effectiveness of self-regulatory advertising codes. Although such a scale has previously been developed (Babor et al., 2008; Vendrame et al., 2010), its application has been limited, with only one previous study reporting its use (Vendrame et al., 2010), and Brazil’s self-regulation marketing codes have since been revised. Therefore, the purpose of this study was to apply an updated rating scale designed to detect violations in the National Council of Advertising Self-Regulation’s (Conselho Nacional de Autorregulamentação Publicitária—CONAR) alcohol advertising code and to determine if code violation rates and raw scores differ between adolescent and expert raters.

**METHODS**

Thirty unique beer advertisements were aired between November 2010 and March 2011. These ads were collected in a database, and the five most popular 30-s beer ads, as determined by a separate sample of 150 Brazilian public high school students, were evaluated in this study. This method of ad selection has been used previously (Vendrame et al., 2010). The ads shown to participants were as follows:

1. Skol; ‘Soccer Fans’: young male fans holding and consuming beer are shown in several humorous situations, including in stadiums and pubs.
2. Itapava; ‘Beach’: a song associates Itapava beer with several situations happening on the beach, including young people with cups full of beer and young women wearing bikinis.
3. Antártica; ‘Famous Actors and Beer Truck’: a famous singer and a young actress are seated at a table in a bar, each toasting with a glass full of beer, whereas a famous comedian refuses to drink, saying that he must drive because his car is new. The singer and actress tease him, and the comedian then appears driving a truck full of beer, telling the others to come to his house later to drink more beer.
4. Kaiser; ‘Sincerity’: three young women are in a bar, holding cups full of beer. One of the women says, ‘It would be nice if men were more sincere.’ Several scenes are shown where men say honest things that do not please women. At the end, the women say, ‘Better not.’ The ad ends with a young woman with a bottle of beer and the narrator saying that ‘Kaiser is always delicious.’
5. Brahma; ‘Brazilian Warrior’: several scenes are shown associating different daily situations (e.g. relaxing after work, washing a car) with beer, while a famous pagode singer (Zeca Pagodinho) sings the lyrics ‘A Brahma drinker is a warrior.’

**Participants**

Thirty-five Brazilian expert raters, with expertise in education, health and public health law and whose activities are related in some way with children and adolescents, were invited to participate. These experts represented teachers, researchers, physicians, lawyers and judicial officials. An email invitation explaining the purpose and procedures of the study was sent to prospective expert participants. Thirty-one experts accepted the invitation, consented to participate in the study and were provided access to an online questionnaire and the videos of the selected ads (participation rate = 88.5%). Among the expert sample, 53.3% were men, and the average age was 41.3 years.

Adolescent raters consisted of 110 students in their first or second year of high school. Students attended one of two public schools located in downtown São Bernardo do Campo/SP. This city is part of the metropolitan area of São Paulo, and it is the most populous and economically developed region in Brazil, supporting ~22% of the Brazilian population. São Bernardo do Campo has similar socioeconomic and demographic characteristics as São Paulo. All classrooms in each school with first- or second-year high school students were invited to participate. Student participation was predicated on passive parental consent and explicit authorization by the school principals. Among the adolescents, 52.7% were male, and the average age was 15.8 years.

**Measures**

A questionnaire was designed to assess compliance with the content guidelines of the Brazilian self-regulatory alcohol advertising code (CONAR, 2011). Each guideline within the Brazilian self-regulatory advertising code was covered by at least one question in the questionnaire. If the guideline contained multiple sub-guidelines, multiple questions were developed. For example, according to Rule 1, the advertisements should be structured in a socially responsible way. This rule was covered by the following question: this post was structured in a socially responsible way. To answer, respondents selected a response option on a 0–10 Likert scale, where 0 = strongly disagree, 5 = neither agree nor disagree (neutral) and 10 = strongly agree. For some guidelines, such as Guideline 2.1, which states that advertisements must be intended solely for adults, the scale was reversed for violation coding, but the rule-question-scale structure of 10 points was maintained. The questionnaire was based on previous work performed by Vendrame et al. (2010).
Results

Overall, the results show that the two groups (experts and adolescents) detected a considerable number of content guideline violations in five of the most popular beer ads in Brazil, despite the implementation of a more lenient marketing code. To the extent that these five beer ads are representative of popular brands among youth, these content violations support the conclusion that television beer advertising in Brazil is failing to meet the two general principles of the Brazilian self-regulatory alcohol advertising code. This casts significant doubt on the effectiveness of industry self-regulation to protect vulnerable populations.

The ambiguous nature of the code was exacerbated in 2010 by changes promulgated by CONAR. For example, whereas the previous version of the code prohibited the exploitation of eroticism, the revised version stipulates that ‘any appeal to sensuality will not constitute the main appeal of the ad.’ It is important to note that these changes affect efforts to conduct objective reviews of the guidelines, such as this study, efforts by advertisers to follow the guidelines and efforts by industry representatives and governments to monitor compliance. Since the instrument for this study was constructed based on the actual rules in the code, it is possible that these ambiguities themselves may have resulted in artifacts given the difficulties that such language invokes. It is noteworthy, then, that the act of restricting focus to the efficacy of extant policies and methods fails to consider the possibilities for potential new public policy alternatives that could better protect the public interest.

Even with the code modifications that were made between the initial study (Vendrame et al., 2010) and the current study, a trend of code non-compliance among beer ads was demonstrated. For example, participants in both studies found significant violations of Rule 1 even after substantial revisions prior to the second study. Previously, the rule stated that an advertising ‘slogan should not bring
Table 1. Guideline violations identified by teens and experts in each of five beer ads (% endorsing a question indicative of a violation)

<table>
<thead>
<tr>
<th>25 Questions (covering 17 guidelines)</th>
<th>Average rating; positive response for Brazilian self-regulatory code violation* (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ad 1—Skol Soccer Fans</td>
</tr>
<tr>
<td></td>
<td>Teens</td>
</tr>
<tr>
<td>Slogan with drinking appeal</td>
<td>84.1*</td>
</tr>
<tr>
<td>Social responsibility messageb</td>
<td>27.0*</td>
</tr>
<tr>
<td>Targets adolescents</td>
<td>79.0*</td>
</tr>
<tr>
<td>Actors/characters &lt;25 years old</td>
<td>73.7*</td>
</tr>
<tr>
<td>Age of principal character/actorc</td>
<td>21.3</td>
</tr>
<tr>
<td>Targets only adultsb</td>
<td>24.5*</td>
</tr>
<tr>
<td>Images/music target only adultsb</td>
<td>22.7*</td>
</tr>
<tr>
<td>Encourages heavy drinking</td>
<td>66.4*</td>
</tr>
<tr>
<td>Encourages irresponsible drinking</td>
<td>57.9**</td>
</tr>
<tr>
<td>Suggests that being drunk is acceptable</td>
<td>65.5*</td>
</tr>
<tr>
<td>Sensuality is the main focus</td>
<td>57.5*</td>
</tr>
<tr>
<td>Explores eroticism</td>
<td>40.5</td>
</tr>
<tr>
<td>Appealing image or situation</td>
<td>56.5*</td>
</tr>
<tr>
<td>Actresses/characters treated as sex objects</td>
<td>44.0</td>
</tr>
<tr>
<td>Shows people drinking</td>
<td>74.5*</td>
</tr>
<tr>
<td>Shows people getting drunk</td>
<td>35.1</td>
</tr>
<tr>
<td>Suggests that consumption of beer is a sign of maturity</td>
<td>62.9*</td>
</tr>
<tr>
<td>Beer consumption contributes to professional or social success</td>
<td>40.0</td>
</tr>
<tr>
<td>Athletes or celebrities are attractive to minors</td>
<td>66.5*</td>
</tr>
<tr>
<td>Person who does not drink would be overlooked in the situation shown</td>
<td>62.3*</td>
</tr>
<tr>
<td>Disregards moderate drinking</td>
<td>55.9**</td>
</tr>
<tr>
<td>Suggests consumption due to positive health effects</td>
<td>47.0</td>
</tr>
<tr>
<td>Suggests that drinking and driving is acceptable</td>
<td>19.0</td>
</tr>
<tr>
<td>Beer consumption is associated with driving cars or motorcycles</td>
<td>49.1</td>
</tr>
<tr>
<td>Consumption is associated with changes in emotional balance, use of firearms or aggression</td>
<td>18.9</td>
</tr>
</tbody>
</table>

*The positive ratings for violation were included, whose proportion was significantly greater than the proportion of negative responses. Below 53%, there was no significant difference in relation to the proportion of negative responses.

bVariables indicating inverse violation. In these cases, below 47% indicated violation.

cThe rule prohibits that character and/or actor looks younger than 25 years old.

p < 0.001; *0.021>P < 0.011.
very least, this role has not resulted in procedures or standards that ade-
quately take into account public health interests. The industry’s inter-
est in increasing alcohol sales and having greater access and appeal to a
young demographic are directly related to serious public health issues
and social harm (Narchi, 2005; Caetano and Laranjeira, 2006; Jerni-
gan, 2009; Babor et al., 2010a,b; Hastings et al., 2010). Prevention
policies, independent from industry influence, should be considered
to better control alcohol advertising, including enhanced advertising
restrictions and prohibitions.

Among these measures, it is important to consider independent
monitoring of alcohol ads as a means to protect vulnerable popula-
tions, such as youth, and as a method for documenting industry mar-
keting strategies. The results described here and in previous studies
(Vendrame et al., 2010; Vendrame and Pinsky, 2011) show that recent
changes in Brazil’s self-regulatory code did not change code compli-
ance within the industry. Babor et al. (2008, 2013) tested a new meth-
od of independent monitoring of ads that is practical, accurate and
that could be considered as a basis for a reformed public policy.

It is not sufficient to just document issues in regulating advertising
content, however. Efforts must be initiated to build public and govern-
ment supports for implementing more effective measures. For ex-
ample, in research that examined 329 Australian newspaper items
mentioning alcohol advertising restrictions over 24 months, Fogarty
and Chapman (2012) concluded that restrictions on alcohol advertis-
ing currently have low newsworthiness as a standalone issue and sug-
gest that future measures need to better define the exact nature of
required restrictions, anticipate opposition and address forms of ad-
vertising beyond televised sport if exposure to advertising, especially
among children, is to be reduced.

On the other hand, the alcohol industry attaches strategic impor-
tance globally to advertising self-regulation, particularly in countries
with immature markets like Brazil (Caetano and Laranjeira, 2006), be-
cause it allows the industry to avoid legislative restrictions that might
negatively impact access to global markets and increased sales. For in-
stance, ICAP was formed as a lobbying agency to represent the world’s
largest alcohol producers. ICAP’s (2014) ‘policy tool kit’ (i.e. the ‘Blue
Book’) recommends that its members take all possible measures, includ-
ing lobbying politicians, for developing self-regulation in countries that
have not yet adopted this approach. In countries that already use self-
regulation, the industry should take steps to ensure that the system is
maintained. ICAP provides additional information on how to challenge
attempts to legislate regulation of alcohol advertising. For example, a
chapter on ‘alcohol marketing and youth’ states that the balance of evi-
dence does not support a direct cause and effect relationship between
alcohol marketing and consumption levels or patterns or hazardous
consumption, despite research to the contrary (ICAP, 2014).

Self-regulation in Brazil is defended by several non-governmental
organizations established by the alcohol industry (Instituto Milenium,
2014; Palavra Aberta, 2014). Characteristically, the alcohol industry
tends to distort the debate in Brazil, arguing on the basis of defending
freedom of expression and commercial free speech. Despite this,
Brazil’s Federal Constitution, which guarantees freedom of expres-
sion, states that ads for alcoholic drinks should be regulated by law,
and differentiates the concepts of freedom of expression and the
right of companies to advertise their products. Even though the indus-
try lobby continues to be strong within the Brazilian National Con-
gress and recently prevented the passage of legislation regulating
beer ads, the Attorney General of the Republic filed a direct action
of unconstitutionality before the Brazilian Supreme Court, asking
the court to compel Congress to regulate alcoholic beverage advertis-
ing (STF, 2014).

It is important to note that the code violations found in this study
occurred in television ads that represent a well-established, highly vis-
ible, well-understood and highly supervised promotional medium. If
the self-regulatory codes are not being implemented effectively in a
highly monitored medium, important questions are raised about
new media, particularly social media platforms, that have a large in-
dustry presence (Jernigan and Rushman, 2013).

There are limitations to this study. First, expert and adolescents
raters viewed and rated the ads in unique environments, online vs. a
classroom setting. This may affect the study results, particularly for
adolescents raters as conscious or subconscious reactions to the ads
may influence the perceptions of other adolescents nearby. Addition-
ally, the limited number of ads selected from a limited time frame con-
strains our ability to calculate the prevalence of code violations among
all Brazilian beer advertisements.

CONCLUSIONS

The current study demonstrates that experts and adolescents agree
that the most popular beer advertisements among Brazilian adoles-
cents contain numerous violations of Brazil’s alcohol self-regulated
marketing code. Based on this evidence and related research, we advise
that evidence-based alternatives to self-regulation be considered, in-
cluding independent monitoring of alcohol advertisements and strict
legislative restrictions of alcohol marketing practices.

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