

Code of Practice for Responsible Advertising & Marketing of Spirit Drinks



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Introduction

Rum has been produced in the Caribbean region for many centuries for both domestic consumption and export. It provides an essential contribution to the revenues of CARIFORUM Governments through duties and other taxes as well as foreign exchange earnings. It provides employment for more than 10,000 people and indirectly supports the livelihoods of many more. It is a part of the culture and image of the ACP Caribbean and plays an important role in the agriculture and manufacturing sectors.

Rum is one of only a few value-added agricultural products that significantly contributes to foreign exchange earnings, tax revenues and employment in the region. In this respect it must be seen and treated as an industry that is critical to the region's economic future. At the same time however, the regional rum industry is keenly aware that, like other alcoholic beverages, the abuse of rum products can be detrimental to public health. It is therefore in the industry's interest to responsibly promote and market rum products and to encourage their responsible consumption by consumers.

The Members of the West Indies Rum and Spirits Producers' Association Inc. (WIRSPA) have for many years demonstrated their commitment to the responsible advertising, marketing and promotion of their products on the local, regional and international markets. The WIRSPA Board has adopted a written Code of Practice to govern and promote the responsible advertising and marketing of spirits drinks by its members. WIRSPA members are committed to the implementation of the Code and will use best endeavours to encourage entities, including shops and bars, involved in the advertising and marketing of alcoholic beverage products to do so as well.

Situation

There is no regional standard governing the manner in which the spirits industries of individual CARIFORUM countries advertise and market their products. However, there is to varying degrees some form of legislation and at least generally accepted principles operational in



individual countries defining the boundaries of alcohol promotion and advertising. These guide the practice of producers and advertisers of rum and other alcoholic beverages.

The social and public health consequences of excessive drinking are detrimental to the image of the Caribbean beverage alcohol industry. Equally, underage consumption of alcohol in the Caribbean is a social phenomenon which is commonly attributed to the influence of the beverage alcohol industry. WIRSPA is opposed to the excessive or underage consumption of alcohol.

There is a growing and increasingly vocal public demand for the rum and spirits industries of the individual WIRSPA countries to responsibly advertise and market distilled spirits drinks only to adults who choose to drink.

On their initiative, the rum associations representing the industries of the individual WIRSPA countries have, with the adoption of the WIRSPA Code of Practice, responded to this public demand in such a way that effectively addresses these concerns.

Scope

This Code is intended to cover all advertising and promotional activities, including sponsorship, sampling, packaging, product and company websites, press releases, new technologies and all other promotional tools.

The Code applies to every type of communication medium, including the internet, text messaging and the use of social media which can be used to advertise or market beverage alcohol produced by WIRSPA Members. It also applies to all retail merchandising.

The Code is intended to be informative to the stakeholders and to demonstrate the intent and action of the industry on this issue.

This code should support efforts aimed at significantly reducing the incidents of harmful and irresponsible consumption of spirits.



The WIRSPA Code

Declaration

All WIRSPA members and affiliated producers are committed to the principles and standards of the Code and to its effective implementation in the spirit, as well as the letter, of the code.

Individual country associations will be responsible for transposing the principles and standards of this Code to their respective countries and to seeking the adherence to it by their Members as far as legally possible.

WIRSPA will conduct periodic review of the Code and its implementation to ensure its constant relevance and adherence by the Members.

Provisions

The WIRSPA Code of Practice is a statement of self governing rules that clearly spells out the industry's standard operating procedures and principles of responsible advertising which aim to protect children, under age and vulnerable persons from being targeted by advertising and marketing campaigns.

Adherents to the Code:

1. Shall promote their alcoholic beverages in a socially responsible manner and only to those of drinking age who choose to drink.
2. Shall not target the youth market, vulnerable persons or pregnant women when advertising and marketing of alcoholic beverages.

3. Should include responsible drinking messages in their marketing communications.

4. Should endeavour to ensure that their members and the retail trade adhere to the spirit and principles of this code in their own advertising and promotional activities.

5. Shall not link the consumption of alcohol to driving, prowess, bravado, violence, aggression, dangerous or anti-social behaviour, sexual success, illicit drugs, social success or popularity, enhanced mental or physical capabilities in the advertisement and marketing of alcoholic beverages.

6. Advertising for alcoholic beverages should not be placed on any outdoor stationary location unless out of the clear view of an established place of worship, school or children's playground, except on a licensed premise.

7. Marketing & advertising materials should not present abstinence in a negative way or imply that it is wrong or foolish to refuse a drink. They should not suggest any association with violent or anti-social imagery or behaviour or illegal activity and should not be advertised or marketed in a manner associated with the attainment of adulthood or the "rite of passage" to adulthood. Furthermore, they should not claim that alcoholic products have curative or therapeutic properties or that their consumption may help in preventing, treating or curing any human disease.



8. Should not license their brand names, logos or trademarks for alcoholic products for use on children's clothing, toys, games or other associated materials.

9. Shall not use persons who are, or appear to be, younger than 21 years of age (25 years of age in countries where a Code of Practice contains such recommendation) in advertising and marketing campaigns or to depict pregnant women, ill or vulnerable individuals, consuming their products. In addition, if celebrities are used to assist in the advertising or promotion of a product, they should not be primarily associated with, or appeal to, those below legal drinking age and cartoon styles should be avoided. Furthermore, communications should only be placed in media where a clear majority of the audience can reasonably be expected to be above legal drinking age.

10. Shall not promote illegal, irresponsible or excessive consumption including binge drinking and drunkenness in their advertising and marketing campaigns.

11. Shall adhere to any and all Codes of Practice that exist in countries where they sell and market their products

Review

The Code's implementation shall be kept under review by the WIRSPA Board of Directors.

Complaints in regard to specific countries will, in the first instance, be referred to that country association for resolution.

WIRSPA may establish such sub-committees as it see fit to assist in this regard.

WIRSPA shall seek to:

- Provide a mechanism to discuss and have rectified instances of irresponsible advertising and marketing practices of the industry.
- Provide advice to industry stakeholders in regard to developments in the arena of responsible advertising and marketing, responsible drinking, specific concerns related to the implementation of the code.

National rum associations who are members of WIRSPA shall be responsible for the monitoring and reporting to the Board on the Code's implementation in their respective countries.

Comments and complaints should be made in writing to:

Chief Executive Officer, WIRSPA Inc., Mars House, 13 Pine Road, Belleville, St Michael, Barbados, BB11113, W.I.



Complaints Procedure

Preamble

WIRSPA members are united in their commitment to ensuring all legislation in regard to alcoholic beverages is met and to supporting initiatives that address problem consumption of alcoholic products. To this end, member rum associations have agreed to ensure adherence to agreed industry standards in the production, promotion and sale of beverage alcohol products.

WIRSPA is not a regulatory body and its rulings are therefore advisory in nature to the companies it represents. The aim is to provide reasoned, objective judgement on issues brought to its attention and advise all parties concerned of its ruling. It is up to individual producers to come into compliance with the ruling. WIRSPA will use best endeavours to ensure member companies come into compliance in a timely manner.

WIRSPA will assist companies to achieve compliance but all such assistance will again be advisory only. Companies should seek professional advice on all such matters.

Process

This process applies to all complaints and will, in the first instance be the responsibility of the WIRSPA Secretariat:

1. Complaints should be made in writing to the Chief Executive Officer of WIRSPA. Complaints may be made in confidence. If the complaint is in regard to breach of the Code of Practice for Responsible Advertising and Marketing of Spirit Drinks it will be referred to the appropriate

country body relating to the complaint.

2. The CEO will advise the company responsible and the WIRSPA Executive Committee of the complaint.

3. Complaints will be assessed against:

a. The CARICOM Regional Standard for Rum CRS25:2008

b. The WIRSPA Code of Practice for Responsible Advertising and Marketing of Spirit Drinks

c. Other WIRSPA policy (e.g. Social Responsibility – Energy, Waste Treatment and the Environment; Corporate Social Responsibility; Responsible Drinking)

d. Laws, Regulations and Codes of practice applicable in the countries in which the product is sold e.g.

- CARICOM Regional Standard for Labelling of Goods General Principles, CRS / DCS 55 : 2009;

- CARICOM Regional Standard for Labelling of Prepackaged Goods, CRS 5:2010

e. The Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks (The Portman Group, UK);

f. The British Code of Advertising, Sales Promotion and Direct Marketing (CAP Code, UK);

g. Code of Responsible Practices For Beverage Alcohol Advertising and Marketing (Discus, USA)

h. Other appropriate Laws, regulations and Codes of Practice



4. The WIRSPA Secretariat will undertake a preliminary review of the case and compile a dossier of available evidence within 15 working days. The secretariat will endeavour to resolve the matter based on its initial review.

5. If unresolved, the dossier will be circulated to the Executive Committee, the complainant and the company responsible. Parties will be invited to provide additional material for circulation (within 10 working days). Independent advice may also be sought but should be required to provide feedback within 10 working days.

6. The Secretariat will review any additional materials and again attempt resolve the complaint. If unsuccessful the Secretariat will convene with the Executive Committee, by telephone conference if necessary, within a further 10 working days.

7. A preliminary ruling will be circulated to the Executive Committee within 3 working days.

8. The complainant and the company will be advised of the ruling by the Chief Executive Officer of WIRSPA within a further 3 working days. A copy of the report will also be sent to the Chief Executive Officer of the offending company.

9. Appeal will be to the Chairman of WIRSPA. Such appeal to be lodged within 10 working days of receipt of the ruling and to be heard by a Committee appointed by the Chairman, by telephone conference if necessary, within 10 working days of receipt.

10. WIRSPA will publish a summary of rulings in its Annual Report.

Sanctions

As detailed above, the deliberations are intended to be advisory in nature. As such, WIRSPA will use best endeavours to ensure compliance by the company (which ultimately will include dialogue with the Chief Executive Officer of the company). However, compliance is finally a matter for the company concerned.

The Secretariat / Executive Committee, in compiling its judgement, will provide guidance as to possible resolution and a timetable for compliance.

As a last resort, the Executive Committee may recommend expulsion of the company from their local industry association and therefore from the WIRSPA 'family'. Such recommendation to be endorsed by a full meeting of the WIRSPA Board.

WIRSPA may consider other possible sanctions such as issuance of a press notice or advice notices sent to retailers and regulators.





The Authentic Caribbean Rum (ACR) marque was developed as a symbol of authenticity, provenance and quality for rums within the WIRSPA family. As usage of the marque grows it will act as a visual symbol to help trade customers and consumers identify ACR brands, but in the short-term it will be used to promote the development of Authentic Caribbean Rum as a distinct sector within the drinks industry.

The West Indies Rum and Spirits Producers' Association Inc. (WIRSPA) is an 'association of associations' in that it represents distillers associations from across the ACP Caribbean*.

WIRSPA is governed by a Board of Directors which meets several times a year. The Chairmanship rotates and is the subject of an annual election.

*ACP stands for 'Africa, Caribbean and Pacific'. The ACP Caribbean states are the countries that are signatories of the Lomé Convention signed in 1975. This was superseded by the Cotonou Agreement in June 2000.

