

Digital marketing of alcoholic beverages what has changed?

Snapshot series on alcohol control policies and practice

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Brief at- a-glance

The problem

The more individuals are exposed to alcohol marketing, the more likely they are to consume alcohol. Exposure to alcohol marketing increases the acceptability of drinking alcohol, an earlier age of onset and drinking behaviours, including heavy episodic drinking. Digital platforms quickly became a powerful marketing tool for alcoholic beverages, in line with a broader shift from traditional to digital marketing contexts. Through constant and systematic data collection, digital platforms gather information on individuals. Data are then used to target individual users and look-alike audiences and influence consumers' preferences, attitudes, and behaviours. The digital ecosystem exposes individuals to alcohol advertising, identifies and pursues individuals who are most likely to purchase and consume alcohol, often those most at risk of developing alcohol use disorders, and transforms users into vulnerable targets.

The evidence

The digital world has opened up opportunities for marketing companies to position increasingly covert and ephemeral advertising. These new techniques present challenges for policy- and decision-makers concerned to regulate and enforce digital marketing for reducing risks of harm. These new advertisements target individual consumers based on their data, allowing marketers to optimize their strategies. One of the challenges to overcome in regulating the digital marketing of alcohol is that digital spaces operate

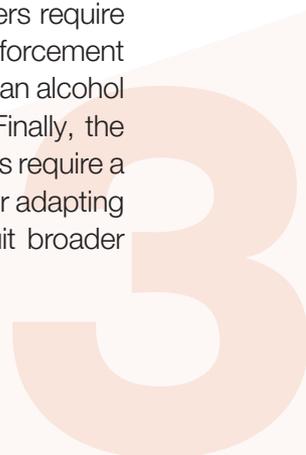
beyond country borders. Innovation in regulation is needed to keep pace with the constantly evolving digital marketplace.

The know-how

Examples from several countries show the diversity of responses to digital marketing efforts. Many are partial in their scope and unlikely to have much impact. Some countries have included digital media in a comprehensive ban on alcohol marketing. The experience from Norway suggests that comprehensive bans, if adequately enforced, do have the potential to reduce sales of alcohol. The experiences from Lithuania and the Russian Federation show the importance of surveillance and enforcement and the need for its extension to all types of marketing.

The next steps

The next steps for researchers and research institutions include cross-disciplinary collaboration to identify emerging trends and respond to gaps in the evidence and engage in knowledge-translation approaches to increase the uptake of research findings. The next steps for government policy- and decision-makers require the development of regulation and enforcement mechanisms to control and restrict or ban alcohol marketing, including in digital media. Finally, the next steps for international organizations require a global and comprehensive approach for adapting existing tools to new contexts and suit broader populations.



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Digital marketing of alcoholic beverages: what has changed?

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About the series

This Snapshot is part of a series of briefs tackling critical issues related to the determinants driving the acceptability, availability and affordability of alcohol consumption and how it affects people and their communities. The series aims to facilitate evidence and experience-informed conversations on the topics explored. Each brief is the result of a global, multistakeholder conversation convened by the Less Alcohol Unit, part of the WHO Department of Health Promotion. The topics of the series emerged in response to blind spots in the current policy conversations. The approach and length of the Snapshots do not fully describe the complexities of each topic nor do the illustrative country experiences. The series is a conversation-starter rather than normative guidance. Relevant WHO resources are provided to explore the subject in more depth.

The series is intended for a wide audience, including people working in public health and local and national alcohol policy, policy-makers, government officials, researchers, civil society groups, consumer associations, the mass

media and people new to alcohol research or practice.

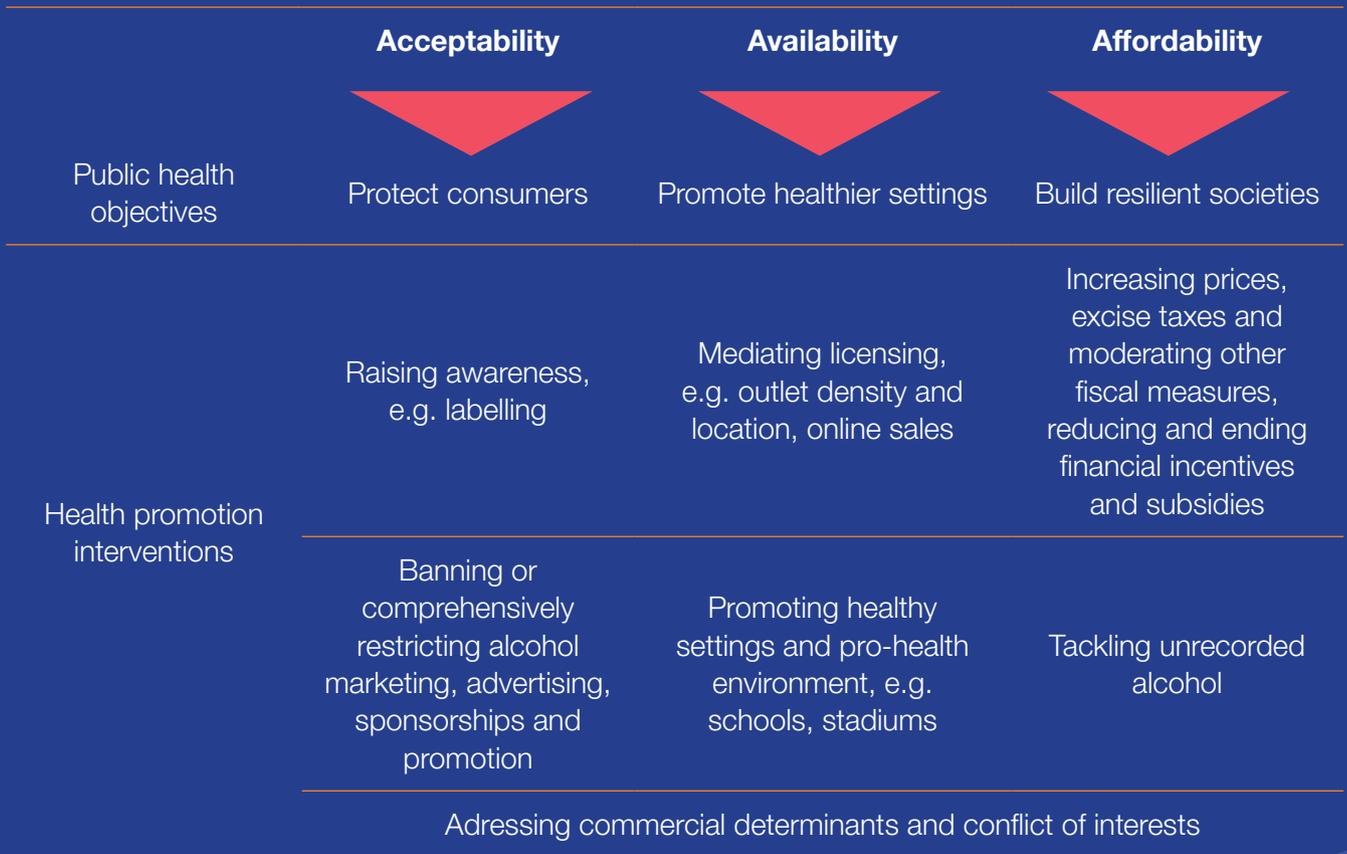
What is a health promotion approach to reducing alcohol consumption?

Drinking has multidimensional connotations. Robust and growing evidence demonstrates that cultural, social and religious norms influence alcohol consumption – acceptability, ease of purchase (availability) and price (affordability). Addressing this multidimensional causality chain requires a portfolio of health promotion interventions to moderate the determinants driving alcohol consumption and, in turn, enable populations to increase control over and improve their health to realize their full potential.

How are the briefs developed?

The briefs result from a review of the recent literature on the topic, insights from leading experts, consultation with selected countries and discussions that took place during webinars

Determinants driving the consumption of alcohol





convened to create a platform to match evidence, practice and policies. Each webinar, attended by more than 100 participants, took place over 1.5 hours in English, Russian and Spanish. Between 8 and 10 speakers were invited to participate in each webinar, engaging global experts, officials from governments, academia, civil society and other United Nations agencies. Participants also engaged in the webinar by posting questions, sharing experiences and resources. The snapshot has been reviewed by the respective speakers – the contributors to each brief – to confirm the completeness and accuracy of the synthesis prepared.

Interested in other topics?

Visit the *Less Alcohol webpage* for other briefs in this series and forthcoming webinars. During 2021, topics including alcohol consumption and socioeconomic inequalities, unrecorded alcohol, conflicts of interest, labelling, digital marketing and per capita alcohol consumption have been explored. If you have a suggestion for a topic that has yet to be explored, contact our team at lessalcohol@who.int.

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The problem

This section provides a brief overview of why this issue matters to the health of populations and why it is worth further examining within global alcohol policy

The more individuals are exposed to alcohol marketing, the more likely they are to consume alcohol products (1). Exposure to alcohol marketing increases the acceptability of drinking alcohol, younger-onset and risky drinking behaviours, including heavy episodic drinking (2,3). Evidence indicates that those who consume more alcohol may be more susceptible to alcohol marketing strategies (4,5). The exposure of children and young people to alcohol marketing increases their chances to experience harm (1,6). A study from 2020 described the causality of this relationship (7).

Digital platforms quickly became a powerful marketing tool for alcoholic products, in line with a broader shift from traditional to digital marketing contexts (8). Through constant and systematic data collection, digital platforms gather information on individuals. Data are then used for targeting individuals and influencing their preferences, attitudes and behaviour. In response to privacy concerns, platforms are now working on group data and targeting *look-alike* groups. The digital ecosystem exposes individuals to alcohol advertising, identifies and pursues individuals who are most likely to purchase and consume alcohol, often those who are most at risk of developing alcohol use disorders and transform users into vulnerable targets (8–11).

Unlike television commercials or billboards, digital marketing is not bounded by time or space (9). It seeks to engage with and encourage consumers to internalize brands and express perspectives on their behalf. During the COVID-19 pandemic, digital marketing also opened the door to the rapid expansion of eCommerce of alcohol products by delivering directly to homes (12).

Banning and restricting alcohol advertising is a cost-effective intervention for reducing the consumption of alcohol recommended by WHO (13). In 2018, most countries had

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partial regulations on traditional channels used for alcohol marketing. However, 48% had no regulation for the Internet, 47% did not have regulation for social media and only a few countries had a complete ban on alcohol advertising (14).

WHO has increasingly focused on the marketing of unhealthy commodities (15–20). The WHO–UNICEF–Lancet Commission has acknowledged that exposing children to exploitive marketing of unhealthy commodities, including alcohol, is “an important threat to children’s health and futures” (21). Recently, WHO has launched a technical report on the harmful use of alcohol-related to cross-border alcohol marketing, advertising and promotional activities, including those targeting youth and adolescents (15). In addition, a WHO report for the European Region has been published that focuses explicitly on the digital marketing of alcohol and provides a helpful glossary to read this brief (22)

What does this snapshot aim to achieve?

This snapshot aims to establish the challenges posed by new digital marketing approaches, examine approaches to reduce the effects of digital marketing in selected countries and present possible next steps to move the conversation beyond this brief.



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The evidence

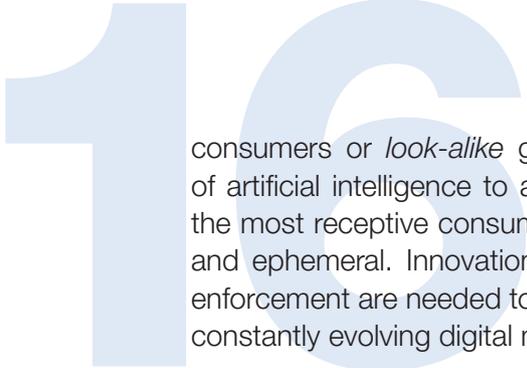
This section provides a summary of what is known about the issue, implementation considerations for different settings and any gaps in the existing knowledge base

Digital marketing of alcohol can be hard to recognize and regulate

Digital marketing is becoming increasingly difficult for target audiences to recognize. In contrast to more traditional forms such as print, television and radio advertisements, the digital world has opened opportunities for marketing companies to position increasingly covert advertising. Significant challenges exist in identifying and thereby regulating digital marketing. One is the rise of new marketing techniques that combine paid targeting with consumer participation. For example, the use of sponsored posts and filters on digital media platforms have increased substantially (22).

Another challenge is the use of embedded marketing techniques, incorporating references to brands and products into other contexts, such as in the background of interviews or when using smartphone applications. In addition, this type of brand content is promoted beyond brand-controlled spaces, such as through users reposting on social media. The use of digital channels in integrated marketing campaigns is widespread and includes communications with fans of sporting or musical events, live streaming of sponsored events and the targeting of advertisements using artificial intelligence in search engines. The use of advertising space in digital platforms are not always subject to regulations applied to other marketing channels and allow companies to maintain or expand brand awareness, for example, moving into developing zero- or low-alcohol products.

These and many other practices, like the use of influencers or other peer-to-peer techniques, present new challenges for policy- and decision-makers to regulate and enforce digital marketing for reducing risks of harm. This new advertising cannot be monitored in the same ways that conventional advertising could because they target individual consumers based on the data that has been gathered about them. The features of this new marketing pose concerns for its potential to target individuals and optimize marketing strategies. The collection of digital data on single



consumers or *look-alike* groups and the use of artificial intelligence to algorithmically target the most receptive consumers is both invisible and ephemeral. Innovations in regulation and enforcement are needed to keep pace with the constantly evolving digital marketplace.

The ease of cross-border marketing benefits from regional and global responses

One of the most significant challenges to overcome in regulating the digital marketing of alcohol is that digital spaces operate beyond country borders. Consumers can access global content regardless of where they are located. However, countries remain responsible for regulating alcohol marketing when it reaches their borders. For example, countries face challenges trying to control digital alcohol marketing broadcasted in their territory from another country (22). As a result, there have been calls for regional and global responses such that countries use a standard approach to regulate digital advertising. However, the advancement of regional and international responses has been slow. This results in part from the numerous strategies alcohol corporations use to persuade against regulation and the concerns of individual countries about regulating the platforms that host digital alcohol marketing (22). In addition, establishing a political momentum and obtaining

cross-regional consensus for the content of a new legal arrangement can be challenging. Nevertheless, previous experience from other unhealthy commodities such as tobacco demonstrates this can be achieved.

COVID-19 has exacerbated existing challenges and increased opportunities for digital marketing of alcohol

At the global level, during 2020, digital advertising grew by an estimated 8.2% and was worth US\$ 37 billion following nearly a decade of double-digit growth (22). The COVID-19 global pandemic significantly increased the number of occasions individuals spend online, interacting with and making purchases from digital platforms. Although many conventional forms of advertising struggled during the pandemic, COVID-19 strengthened the role of digital marketing, both from the sheer increase of time spent online and the additional behavioural data collected from those engaging with digital platforms. The rapid shift to an online world resulted in an increase in digital operations from alcohol brands, much of which was dedicated to supporting online purchasing. In addition, studies demonstrate the use of COVID-washing, a technique in which companies have aligned themselves with social issues that appear empathetic towards

“We need to be optimistic and not think that all of this is so big that it can’t be addressed. We can pick up on the work that has already been started by health leaders and civil society partners.”

Eric Carlin, WHO Regional Office for Europe at the webinar Digital marketing of alcoholic beverages: What has changed?

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the pandemic response but are often designed to increase brand awareness and loyalty (23).

There are opportunities to learn from and capitalize on the experience of other unhealthy commodities

Although enacting changes to the digital marketing landscape for alcohol may be difficult, there are significant opportunities to learn from and capitalize on the experience of other unhealthy commodities, especially tobacco and unhealthy foods. The establishment of the Framework Convention on Tobacco Control is often cited as successfully strengthening the implementation of national and international tobacco control policies. This experience indicates the potential to develop similar instruments in alcohol that could reduce digital marketing.

The food sector is experiencing challenges similar to those in the alcohol sector, with social influencers, online commerce and meal delivery apps being critical areas of concern. Three approaches used in the food sector could be adapted to the alcohol control field: breaking down the supply chain for digital marketing to identify opportunities to add tags and age verifications, commissioning research evidence that helps to quantify the impact of digital marketing and identifying effective

policies including developing guidance to support national actions.

Employing a rights-based framework may offer an opportunity to advance regulation

Another approach that may be used to gain inroads in regulating the digital marketing of alcohol is to use a rights-based and child-centred framework. This approach has been proposed by the WHO–UNICEF–Lancet Commission on the Future Child. This Commission called for an optional protocol to be added to the United Nations Convention on the Rights of the Child that would protect children from the marketing of unhealthy products and from inappropriately collecting and using their data. The context for this stems from findings that children are subject to an additional level of harm from digital marketing and have the right to maintain a digital footprint that is free from targeted advertisements, especially for products they are legally ineligible to purchase. In addition, this has the advantage of having broad agreement across stakeholders. Although this approach does not deal with the complete set of concerns emerging from alcohol-focused digital marketing efforts, especially for other vulnerable populations, it could be a first step towards more coherent, comprehensive population-wide approaches.

The know-how

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This section provides examples of country experiences that can be used as evidence and inspiration for the potential policy approaches in various settings

Addressing industry's digital marketing to children in Australia

Australia's Victorian Health Promotion Foundation - VicHealth - was the first health promotion body to be funded by a tobacco tax in the world. Although the tax was subsequently challenged before the courts and found to be unlawful. The organization focuses their work on given key areas: encouraging physical activity, preventing tobacco use, improving mental well-being, promoting healthy eating, and reducing the harm of alcohol.

In 2020, the organization, alongside partners, published a report entitled - Under the radar -

which focused on the effects of digital marketing in harmful industries, including alcohol (24). The report revealed that children are being increasingly exposed to the digital marketing of harmful products and that these marketing approaches are highly effective at encouraging awareness of products and consumption. While there are some approaches in place in Australia, including voluntary codes and complaint mechanisms, the research revealed that these are insufficient to protect children and that other, more comprehensive approaches are needed (25).

One opportunity to better protect children and vulnerable people from harm from digital marketing is through potential updates to Australian regulation, including attention to online spaces and data use. VicHealth is in the process of reviewing and responding to the proposed legislation changes.

Implementing novel approaches to digital marketing in Finland

Initial legislation prohibiting the marketing of strong alcoholic beverages, of mild alcoholic beverages if aimed at minors and marketing linked to driving a vehicle was enacted in Finland in 1995 (26). However, the marketing regulation was updated in 2015 and renewed in 2018 (25). The legislation enacted in 2015 illustrates a novel approach to restricting

“Our experience is that we need regulatory mechanisms that coherently address digital platforms across all harmful industries”

Lucy Westerman, VicHealth, Australia at the webinar Digital marketing of alcoholic beverages: What has changed?

alcohol advertising in social media. The legislation focuses on the emergence of participatory social media marketing (9). In addition to prohibiting the advertising of alcohol in and with games, lotteries and competitions (in any medium, including online), the legislation prohibits marketers from creating material for peer-to-peer transmission and from using any consumer-generated material in advertising (26). The restrictions apply to domestic marketing material in Finland and any from outside Finland aimed at the audience in Finland. The specificity of the Finnish language makes such an assessment plausible, whereas the same would not be accurate in many jurisdictions that share common languages with other countries. Valvira – the National Supervisory Authority for Welfare and Health, operating under the Ministry of Social Affairs and Health, is responsible for implementing the legislation. However, no formal monitoring is yet in place (22). If potentially prohibited advertising is detected, the supervising authorities guide the industry on correcting the breach. If ignored, a temporary prohibition on advertising activities is issued, and the company’s business activities may be blocked until corrective action is taken (26).

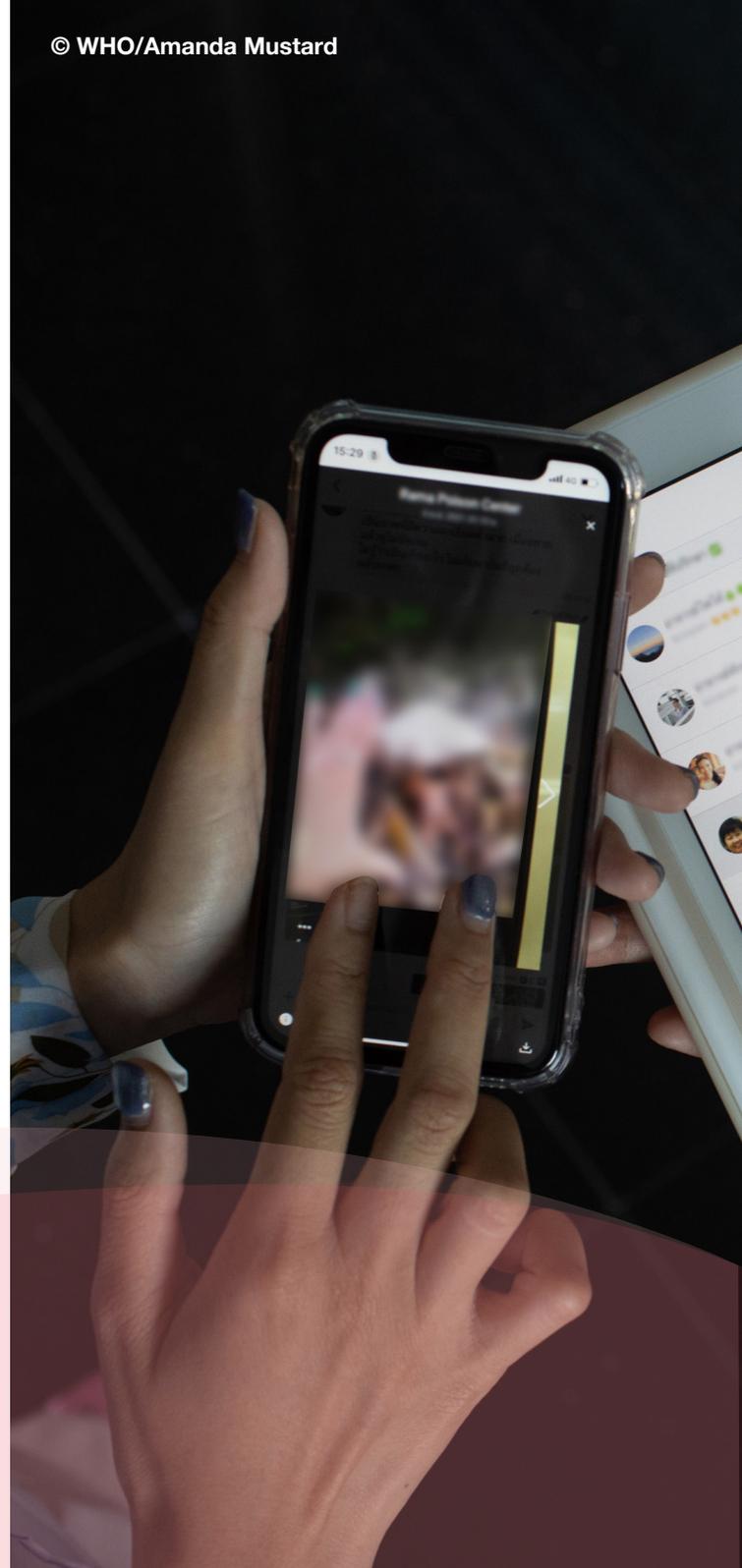
There was a drop in the posts classified as in contravention of the 2015 legislation in Finland

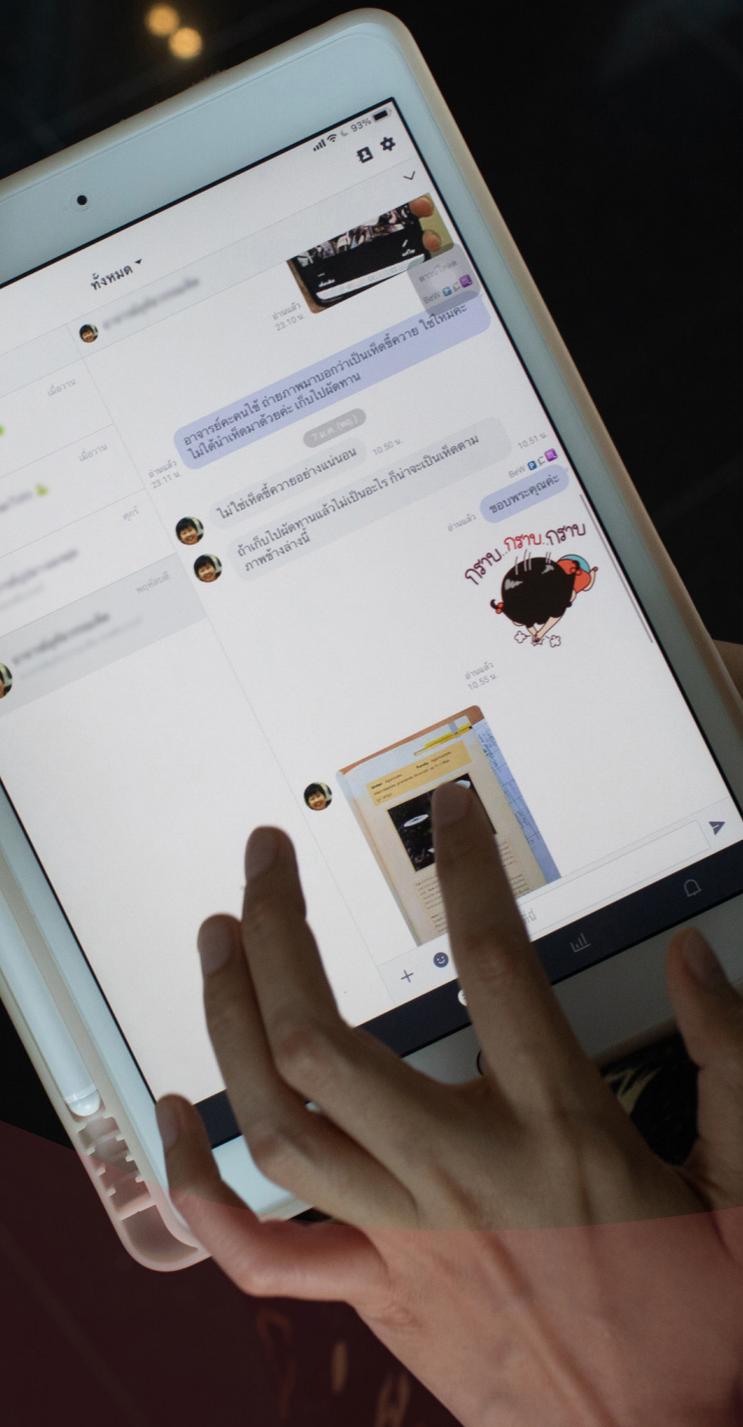


in 2017. Still, the brands used various means to elicit interaction with consumers, including links to social media, tags and hashtags, collaboration with retailers and restaurants and sponsorship of music or sports events. The 2015 amendment did not affect the level of user engagement (27). The limited impact reflected that implementation of the Finnish law did not disable users' ability to share public posts. Similarly, comments by users were not disabled and guidelines for implementation which required comments to be distinguished from *consumer recommendations* was unworkable. The Finnish case illustrates the difficulties in regulating the participatory aspects of alcohol marketing on digital platforms, where consumers play a role in sharing messages.

Litigation over France's advertising laws

France's Loi Évin (Law 91-32 of 10 January 1991 on the struggle against tobacco consumption and alcoholism) limited alcohol advertising content to information and media listed explicitly within the law. The *positive list approach* only allows marketing in the venues and modes listed in the legislation (22). The law established that only factual and informative data with objective qualities could be included in advertisements, such as proof, origin, composition and means of production.

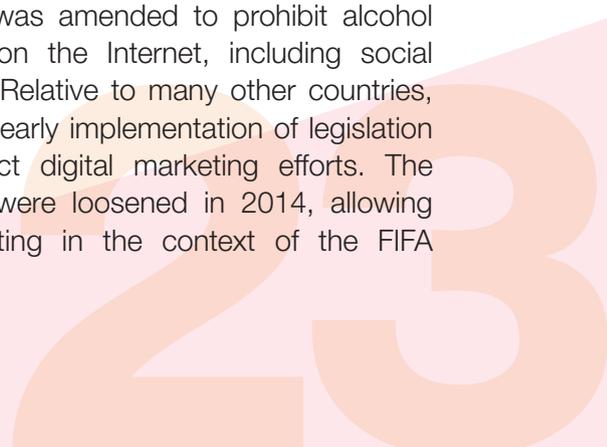


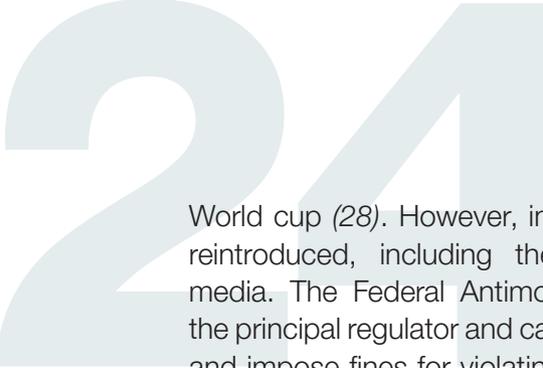


It also established that all permitted advertising must appear with a health warning stating that “alcohol abuse is dangerous for health” (22). The lack of mentioning either Internet marketing or social media meant that it should have been considered illegal under the law (22). However, in 2009, another law was passed that permitted online advertising, with exceptions for sports websites and websites targeting young people. Although the passing of this additional legislation alongside several court cases has shown cracks in the legislation, a landmark case led by the National Association for the Prevention of Alcoholism and Addiction in 2020 reaffirmed that the core principles of alcohol advertising (that it must be strictly informative) are still to be strictly applied (22).

Using age restrictions and labelling to combat digital marketing in the Russian Federation

Restrictions on alcohol advertising were introduced in the Russian Federation as early as the 1990s. In 2012, the federal law on advertising was amended to prohibit alcohol advertising on the Internet, including social media (22). Relative to many other countries, this was an early implementation of legislation to counteract digital marketing efforts. The regulations were loosened in 2014, allowing beer marketing in the context of the FIFA





World cup (28). However, in 2019 these were reintroduced, including the ban on digital media. The Federal Antimonopoly Service is the principal regulator and can issue injunctions and impose fines for violating the law. Despite this enforcement, several loopholes exist (22). These primarily include the industry's use of their websites to share information about their products, which often include pricing, special offers, newsletters and lottery elements (22). Even with this loophole, requirements are in place that websites are intended for people at least 18 years old and display the message "excessive alcohol consumption harms your health".

The loosening effect of trade agreements on comprehensive bans in the Nordic countries

Comprehensive bans in some Nordic countries have become more partial as they entered trade arrangements with the European Union and as digital marketing expanded without any restrictions. However, in Norway, which

has a retail monopoly on alcohol beverages, a comprehensive and effective ban has remained in place since 1975 and also applies to digital marketing (29). The ban also applies to advertising for other goods with the same trademark or company brand or characteristics as alcoholic beverages unless the product has its distinctive trademark. In addition, it is not allowed to include alcoholic beverages in the marketing of other goods or services. The ban is strictly enforced.

Extended comprehensive bans to the digital world in Lithuania

Lithuania has a robust statutory regulation, the Alcohol Control Law, which came into force on 1 January 2018. It imposes a near-total ban on alcohol advertising, including digital marketing, with only a few exemptions, such as producer logos in sales areas (30). In 2022, despite challenges to these regulations, the Parliament of Lithuania voted to maintain the complete marketing ban, including on digital (31,32).

Next steps

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This section provides directions to explore to ensure that the conversation continues beyond this brief

Alcohol is not an ordinary commodity and raises public health concerns. Advertising restrictions have been assessed as highly cost-effective because they can influence the initiation of alcohol use and risk behaviour at the population level. Multiple interventions could be used to ban or restrict alcohol marketing. For example, ban on distributing alcohol marketing; partial restrictions on distributing alcohol marketing; partial restrictions such as the ban on alcohol sponsorship. Other regulatory interventions could enhance these bans or restrictions, including warnings and counter-advertising on alcohol marketing, notification to consumers about paid marketing, removal of tax concessions for alcohol marketing expenses,

among others. Regulating alcohol marketing is made most effective when supported by surveillance and enforcement.

Regulation and enforcement of bans and restrictions should keep pace with the evolution of marketing techniques. As a result, a multistakeholder approach is needed to regain pace with economic operators and marketing players.

Civil society, community-based organizations, researchers and research institutions have a critical role to play in advancing the understanding of digital marketing techniques and how they affect the population and various subgroups within it by:

- advocating for additional regulations and policy approaches that help to safeguard the public from the harms of digital marketing;
- collaborating across disciplines to identify emerging trends and respond to gaps in the evidence base by studying new digital marketing techniques and working to quantify how they affect population health and well-being;
- focusing research efforts on evaluating policy options and their enforcement

strategies to combat harm from the digital marketing of alcohol; and

- engaging in knowledge translation approaches to increase the uptake of research findings.

Government policy- and decision-makers can learn from the experience of other countries and explore the following approaches:

- mapping the supply chain for digital marketing and finding opportunities for intervention;
- introducing and/or extend comprehensive bans on alcohol marketing to cover digital media;
- introducing new taxation systems, including on eCommerce, to limit the digital marketing of alcohol;
- developing coherent approaches across unhealthy commodities that can allow safe participation in digital spaces;
- imposing positive obligations to target marketing away from specific groups -where allowed; and
- ensuring that leading digital platforms

develop policies to measure, control and restrict alcohol marketing.

Digital marketing operates beyond borders and across harmful commodities; therefore, international organizations should seek to create the national capacities to develop, implement and enforce measures to manage the marketing of alcohol. In addition, their roles include:

- developing guidelines for countries to regulate the digital marketing of alcohol, including consideration of an inter-governmental response;
- adapting existing tools such as CLICK to other country contexts and broader populations beyond children;
- facilitating knowledge sharing about marketing practices; and
- developing a non-binding code on alcohol marketing with regular reporting to governing bodies such as, for example, the International Code of Marketing of Breast-milk Substitutes (33).

Takeaway messages

- 1** Exposure of individuals to alcohol marketing increases the acceptability of drinking, affect those most at risk of developing alcohol use disorders and transforms all users into vulnerable targets.
- 2** Digital platforms gather information on individuals to influence their preferences, attitudes and behaviours, becoming quickly a powerful tool for marketing alcoholic products.
- 3** The digital advertising of alcohol identifies and pursues individuals who are most likely to purchase and consume alcohol.
- 4** The digital world has opened up opportunities for marketing companies to position increasingly covert and ephemeral advertising.
- 5** Digital marketing of alcohol can be hard to recognize and regulate because it operates beyond country borders.
- 6** COVID-19 has exacerbated existing challenges and increased opportunities for digital marketing of alcohol.

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Advertising bans and restrictions, paired with surveillance and enforcement, are highly cost-effective measures at the population level.

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Innovation in regulation is needed to keep pace with the constantly evolving digital marketplace.

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Employing a rights-based framework may offer an opportunity to advance regulation.

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Multiple interventions could be used to ban or restrict alcohol marketing.

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The ease of cross-border marketing requires regional and global responses.

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There are opportunities to learn from and capitalize on the experience of other unhealthy commodities.

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Global Information System on Alcohol and Health

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