

Self-Regulatory Code of Marketing & Advertising Practices and Container Labeling for Alcoholic Beverages

Established December 9, 1988

February 22, 2010

Japan Liquor Industry Council

I. Basic Policies

- 1 As industry members involved in the production and distribution of alcoholic beverages, we explicitly recognize that we have social responsibilities to fulfill due to the intoxicating effects of alcohol; namely, to prevent illegal behavior such as underage drinking, alcohol-impaired driving, and alcohol consumption that may lead to harmful and socially unacceptable consequences. We must also nurture a social/cultural environment that encourages the appropriate consumption of alcoholic beverages.
- 2 In order to fulfill these social requirements, businesses handling alcoholic beverages have complied with all relevant laws and regulations regarding marketing and advertising practices and labeling on alcoholic beverages. We have also established the "Self-Regulatory Code of Marketing & Advertising and Container Labeling Practices and Container Labeling for Alcohol Beverages," which we have made every effort to comply with. Due to recent social changes relevant to alcoholic beverages, it has become essential to diligently review the Code. This is also crucial from the perspective of securing healthy growth in the alcoholic beverage industry while protecting consumer interests.
- 3 These standards should be implemented with the understanding and support of the general public. To this end, we are calling for alcoholic beverage producers to maintain awareness of their responsibilities and to exert their best efforts in complying with this Code in recognition of its objectives and spirit.

II. Marketing & Advertising Practices

1 Preventing underage alcohol consumption

(1) Content of statement

Content should conform with the National Tax Agency's notice entitled "Standard on

Expression to Prevent Underage Drinking." Examples of wording would include: "Underage drinking is prohibited by applicable laws," "Alcoholic beverages may be consumed by those aged 20 and over," and "Alcohol is for those who have turned 20 years old."

(2) Requirements for warning message indication

A. Applicable media

This provision applies to advertisements on television, radio, the Internet, newspapers, magazines, posters and flyers (including brochures)

B. Font size of text

Indicate the message according to the minimum size and exposure time stipulated below so that it can be clearly read.

(A) Newspapers: font size should be at least 14 points for advertisements covering five full columns and more, and at least 10.5 points for advertisements covering between three half-width and less than five full columns.

(B) Magazines: font size should be at least 14 points for B5-sized advertisements and larger, and at least 10.5 points for B5 1/2 - to under B5-sized advertisements.

(C) Posters: font size should be at least 20 points for B3-sized advertisements and larger, and at least 14 points for posters smaller than B3. However, regarding large posters for display in public spaces such as train stations, due consideration should be given to the font size so that it is proportionally reasonable.

(D) Television

a. Airtime duration for warning messages should be as follows:

(a) commercials up to 15 seconds: at least 1.5 seconds

(b) commercials over 15 seconds up to 30 seconds: at least 1.75 seconds

(c) commercials exceeding 30 seconds: at least 2.0 seconds

b. The length of one line for warnings against underage drinking should extend at least halfway across the screen and be in roman (upright, regular) typeface.

(E) Internet: the warning should be large enough to be clearly and easily legible in accordance to the space available.

(F) Flyers: font size should be at least 14 points for B5-sized flyers and above and at least 10.5 points for flyers sized B5 1/2 to under B5.

C. Fonts etc.

(A) Fonts should be clear and easily legible.

(B) Warning messages should be placed in a visible position, with due care for perceptibility, such as coloring and contrast, etc.

- (C) For television advertising, attention must be paid especially to the following:
- a. In principle, the warning for under age drinking should be placed at the end of the commercial. When placed in the middle of the commercial, ensure that the message is clearly readable (for example, by using outlined typography, etc.).
 - b. Use of lengthy messages such as "Underage drinking is prohibited by applicable laws" should be avoided.

- (D) For radio advertising, attention should be paid especially to the following:
- a. In principle, the warning for underage drinking should be inserted at the end of the commercial. However, if advertisement airtime is short, this may be omitted.
 - b. Warning messages should be clearly audible.

- (E) When buying television or radio time, alcoholic beverage advertisements should be limited to programs that are confirmed to be produced for a target audience of which at least 70% of viewers/listeners are legal adults.

D. Omission of messages

Messages may be omitted for alcoholic beverages that are clearly for cooking or medicinal purposes or delivered exclusively to bars and restaurants etc.

(3) Points of consideration for advertising alcoholic beverages

- A. Expressions in advertisements must not entice, suggest, or encourage underage drinking.
- B. Alcoholic beverage advertisements must not be placed in television programs, radio programs, newspapers, magazines, the Internet, and flyers that target minors.
- C. Placement of spot advertisements immediately preceding or following television and radio programs targeting minors should be avoided whenever possible.
- D. Underage models must not be used in advertisements for alcoholic beverages.
- E. Characters or celebrities that predominantly appeal to minors must not be used as models in advertisements for alcoholic beverages.
- F. Product logos or trademarks of alcoholic beverages must not be applied to articles predominantly used by underage people, such as clothing, toys or games.
- G. Wording that may lead viewers or listeners to confuse alcoholic drinks for soft drinks are not to be used.
- H. Promotional campaigns targeting underage people are prohibited.
- I. The following types of advertisements must not be used in the public transport system:
 - (A) Exterior transit (wrap) advertisements

- (B) Interior transit (monopoly) advertisements
- (C) Automatic ticket gate sticker advertisements
- (D) Stairway sticker advertisements (inside station ticket gates)
- (E) Pole-wrap posters (inside station ticket gates)
- J. Large outdoor billboard advertisements must not be set up anywhere within a 100 meter radius of elementary, junior high or high schools.

2 Matters concerning alcohol and health-related issues, etc.

(1) Warning labeling

A. Content of statement

Statements must include (A) through (D) below:

- (A) Warnings against drinking by pregnant and nursing women should be worded (for example), "Drinking alcohol during pregnancy or nursing may adversely affect the development of your fetus or child."
- (B) Warnings about alcoholic beverage consumption and health should be worded, (for example), "Be careful not to drink in excess" or "Drink in moderation."
- (C) Warnings about drunk driving should be worded, (for example), "Drinking and driving is prohibited by law."
- (D) Text encouraging recycling of alcoholic beverage containers should be worded (for example), "Recycle empty cans."

B. Applicable media

This provision applies to advertisements on the Internet, newspapers, magazines, posters and flyers (including brochures).

C. Font and size of text, omission, etc.

- (A) Follow the provisions of II:1 (excluding the sections on television and radio).
- (B) When the area displayed on the applicable media measures less than 100 sq. cm, one or more of the message indications listed in 1.(1) or 2.(1)A. may be chosen voluntarily for display.
- (C) For television advertising, the messages 2.(1)A.(A) and (B) above must be displayed.

(2) Wording or expressions prohibited in advertisements for alcoholic beverages:

- A. Wording or expressions linked to excessive alcohol consumption
- B. Wording or expressions linked to binge drinking and other coercive drinking practices
- C. Wording or expressions that encourage dependence on alcohol consumption.

- D. Wording or expressions that suggest alcohol consumption during pregnancy and/or breast-feeding
- E. Wording or expressions that suggest alcohol consumption during exercise or when bathing (for exercise, this refers to anytime immediately preceding, during, or immediately after engaging in a sport activity; for bathing, this refers to anytime immediately prior to bathing or while in the bath)
- F. Wording or expressions linked to alcohol consumption while working, which could lead to serious accidents
- G. Wording or expressions that suggest alcohol consumption under inappropriate circumstances, such as in dangerous places
- H. Wording or expressions linked to alcohol-impaired driving
- I. Wording or expressions that have potential safety risks from the perspective of the Product Liability Act
- J. Wording or expressions that run counter to environmental conservation such as recycling
- K. Wording or expressions that go against the spirit of animal protection

(3) Time frames where TV commercials are not to be broadcasted

Between 5:00 AM and 6:00 PM

However, this restriction shall not apply to corporate and "social manners" advertising. However, alcoholic beverage products and drinking situations (including depiction of pouring or sniffing of alcohol) are prohibited from being shown.

III. Alcoholic Beverage Container Labeling

1 Prevention of underage drinking

Labeling should follow all relevant laws and regulations.

2 Matters concerning alcohol and health-related issues, etc.

(1) Message content

Statements must include A through C below:

- A. Warnings against drinking by pregnant and nursing women should be worded (for example), "Drinking alcohol during pregnancy or nursing may adversely affect the development of your fetus or child."
- B. Warnings about alcoholic beverage consumption and health should be worded (for example), "Be careful not to drink in excess" or "Drink in moderation."
- C. Text encouraging recycling of alcoholic beverage containers, should be worded (for example), "Recycle empty cans."

(2) Applicable containers

Containers in excess of 2.0 liters

For 2.0 liter containers or smaller, efforts must be made to voluntarily choose and display one or more of the messages listed in III. 2. (1) above.

(3) Method of display etc.

- A. The message should be displayed in an easily readable location on the container.
- B. Wording should be in a uniform Japanese font of at least 6 points in size.
- C. Messages may be omitted for alcoholic beverages that are clearly for cooking or medicinal purposes or delivered exclusively to bars and restaurants, etc.

IV. Compliance with this Self-Regulatory Code

The Council should endeavor to extensively publicize and spread knowledge of this Code. Member organizations of the Council should strive to have their member companies comply with this Code, and to study and implement policies and programs to ensure their effectiveness.

Should consumers or other relevant parties raise any issue regarding compliance with this Code, the Council shall strive to hold meetings as needed to remedy the issue.

Supplementary provision

Amendments to the Code (dates only)

March 1992, April 1993, June 1995, May 1998, December 2000, October 2005, May 2006, January 2008, July 2009

Supplementary Provision

This Code is effective as of April 1, 2010.

There is one exception; the provision in II.2. (3) is effective as of October 1, 2010.

If provisions cannot be implemented from the effective date for a particular reason, such as advertising/publicity contractual obligations, they are to be executed as early as possible.