Produced by the Alcohol Policies Project of the Center for Science in the Public Interest, Washington Report provides online information and updates about federal and state alcohol-policy issues, including alcohol advertising and marketing, labeling, product development, taxation, and industry political and commercial initiatives. Washington Report also provides action alerts to inform advocates of opportunities to promote and influence pro-health alcohol policies.

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Federal Developments

Coalition Activities
The Steering Committee of the National Alliance to Prevent Underage Drunk Driving (NAPUD) met on July 21, 2005. Participating organizations included: CSPI, Mothers Against Drunk Driving, Center on Alcohol Marketing and Youth, American Medical Association, Community Anti-Drug Coalitions of America, American Academy of Pediatrics, Leadership to Keep Children Alcohol-Free, and the National Council on Alcohol and Drug Dependence.

The group reviewed progress on the STOP Act and discussed next steps. Among other matters, the group discussed ways to re-gain momentum on the underage drinking issue. Groups agreed to work on planning a major Hill event that might highlight inaction on underage drinking prevention since release of the NAS/IOM report more than two years ago (Sept. 9, 2003). The event would also document the continuing toll of underage drinking in America and call for Congress and the Federal government to increase efforts to address this neglected children’s and safety health issue. A new recruitment push for STOP Act co-sponsors would follow, including a fresh round of “dear colleagues,” action alerts, and Congressional visits.

STOP Act Gears Up
As of this edition, the House version of the STOP Act (H.R. 864) (Sober Truth on Preventing Underage Drinking Act) had 50 co-sponsors and the Senate companion bill (S. 408) had 15 co-sponsors.

Since the bills were re-introduced in February 2005, advocacy efforts to address underage drinking have included direct lobbying visits with House and Senate staff by DC-based members of the National Alliance to Prevent Underage Drinking (NAPUD) and several action alerts by NAPUD member organizations urging the field to contact their representatives and senators asking them to co-sponsor this legislation.

NAPUD is working with staff of House and Senate lead STOP Act offices to identify possible legislative vehicles to move all or parts of the STOP Act. Those vehicles may include the SAMHSA Re-Authorization, slated to be considered by Congress this winter, and other government programs.

For example, Senator DeWine is working on incorporating the college grant provisions ($5 million) of the bill into the Higher Education Act. NAPUD members are also exploring potential legislative vehicles for the STOP Act’s research provisions.
Related Links:
STOP House co-sponsors:
http://thomas.loc.gov/cgi-bin/bdquery/z?d109:HR00864:@@@P
STOP Senate co-sponsors:
http://thomas.loc.gov/cgi-bin/bdquery/z?d109:SN00408:@@@P

If you are from any of the following states, PLEASE fax or phone the following offices to ask that they co-sponsor S. 408. If you have already made the request, please follow up with them again with a phone call (ask for the staffer who handles the Senator’s HELP Committee work).

It is crucial that these senators continue to hear from constituents.

(All numbers use area code 202)

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FY 2006 Appropriations

NAPUD sought FY 2006 appropriations language to:

- Urge the federal Inter-Agency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD) to strengthen and improve its efforts to establish a vigorous national strategy on underage drinking prevention, and;
- Provide third-year ($850,000) funding for the Ad Council’s adult-focused Media Campaign on Underage Drinking Prevention.

Both the House and Senate Labor HHS Appropriations committees included report language (accompanying H.R. 3010) on underage drinking prevention. The Senate language outlines specific actions expected of ICCPUD and provides a hard earmark of $850,000 for the third year of the Ad Council’s underage drinking media campaign.

We hope to see the Senate language included the final bill approved by the House/Senate conference committee.

Relevant text of the 2006 Labor HHS Appropriations Report on Underage Drinking Prevention:

House Report Language:

(Within the Office of the Secretary)
"Underage drinking.--The Committee strongly supports the efforts by the Department to combat underage drinking particularly the efforts by the Interagency Coordinating Committee to Prevent Underage Drinking (ICCPUD) to develop a National strategy on underage drinking. More than 7,000 teens under the age of 16 take their first drink every day. According to the latest data from Monitoring the Future, one in five eighth-graders report drinking in the past month, and that rises to one in three for 10th-graders and one in two for 12th-graders. The Centers for Disease Control and Prevention (CDC) reported that, for the last year for which data were available, more than 4,500 persons under the age of 21 died as a result of excessive drinking. In addition, NIH has reported significant findings about the negative consequences of underage drinking on adolescent brain development. The Committee therefore includes within the total for the Office of the Secretary the third year of funding necessary to continue the Ad Council’s parent-oriented National media campaign to combat underage drinking. Further, the Committee expects the public service announcement to be based on sound scientific research."

Senate Report Language:

(Under the Substance Abuse and Mental Health Services Administration – Center for Substance Abuse Prevention)
"The Committee recommendation includes $850,000 for the third year of the Ad Council’s parent-oriented media campaign to combat underage drinking. Previous funding for the campaign was provided through the Office of the Secretary."

And;

(Under the Office of the Secretary)
"Childhood Drinking- In April 2004 the Secretary created, at the request of Congress, an Interagency Coordinating Committee on the Prevention of Underage Drinking [ICCPUD], chaired by the Administrator of SAMHSA. Since then the ICCPUD has developed a draft plan for combating underage drinking which contained a complete listing of Federal programs related to underage drinking prevention. However, the Committee is concerned that the ICCPUD has not made more progress; it has not produced meaningful coordination among Federal agencies, identified effective and underperforming programs, or created a plan for improving Federal data collection. In addition, the ICCPUD has not identified the resources currently available for programs targeting underage drinking or made recommendations on the allocation of additional resources. Finally, the interim plan lacks measurable goals or benchmarks which would serve to monitor the progress and accountability of the ICCPUD’s efforts. The Committee looks forward to the ICCPUD’s final plan to be issued later this year and hopes that it will address these issues."

Congress Weighs in on Drinking During Pregnancy

Representative Lucille Roybal-Allard (D-CA) helped secure language in the FY 2006 Labor HHS appropriations bill concerning fetal alcohol spectrum disorders and the need to do more to publicize the Surgeon General’s February 2005 updated advisory on alcohol and pregnancy.
Federal Developments (continued)

(continued from page 2)

The language reads as follows:

"Fetal Alcohol. -- The Committee is concerned about the prevalence of Fetal Alcohol Syndrome (FAS) in the United States and notes that drinking during pregnancy is the nation’s leading known preventable cause of mental retardation and birth defects. The Committee commends the U.S. Surgeon General for releasing an updated advisory in February, 2005, on alcohol use in pregnancy, urging women who are pregnant or who may become pregnant to abstain from alcohol. The Committee urges CDC to work with partner organizations, such as the National Organization on Fetal Alcohol Syndrome, to generate awareness of the Surgeon General’s new FAS prevention advisory, especially among high-risk communities."

Halloween Meeting to Focus on the Prevention of Underage Drinking

SAMHSA and the federal Inter-Agency Coordinating Committee on Preventing Underage Drinking (ICCPUD) will host a national meeting of the states on preventing underage alcohol use on October 31 and November 1, 2005 in Washington, D.C. Participants will be appointed by each Governor and will form seven-member “delegations” of state government officials representing key state agencies (in the field of prevention, enforcement, education, highway safety, health, and alcohol control). Interested non-governmental stake-holders will be able to attend the meeting as observers.

SAMHSA intends the meeting to engage state governments on the issue of underage drinking, educate them on evidence-based strategies for combating the problem, and help them assess how they might strengthen their current efforts to reduce youth alcohol use. Participants will be encouraged to participate in and plan for a nation-wide Town Hall meeting event to be held in communities around the country in March, 2006 (date TBA).

Consistent with the primary goal of the September, 2003 NAS/IOM recommendations, the meetings will be designed to help "create and sustain a broad societal commitment to reduce underage drinking."

The Secretary of Health and Human Services (Michael Leavitt) has been invited to give opening remarks, and the Surgeon General will give closing remarks. The Ad Council’s long-awaited new, adult-focused PSA’s on underage drinking prevention reportedly will also be unveiled at the meeting.

Check Those IDs

The International Institute on Alcohol Awareness, a project of the Pacific Institute on Research and Evaluation, has developed a $50 million bill focused on helping alcoholic-beverage retailers detect fake IDs through the expanded use of electronic age-verification equipment. The bill has not yet been introduced.

Supporters of the bill include a consortium of electronic ID-checking manufacturers, law enforcement groups, and alcoholic-beverage retailer trade groups. CSPI and many NAPUD members are either not supporting the bill or not taking a position on it.

Related Links:
International Institute on Alcohol Awareness:
http://www.iiaaonline.org
Pacific Institute on Research and Evaluation:
http://www.pire.org

Let the Good Times Roll (Back)

CSPI and the Coalition for the Prevention of Alcohol Problems (CPAP) continued to monitor alcohol tax rollback bills and seek ways to: discourage support for those bills and press for alcohol tax increases instead to meet urgent budget needs and reduce the mounting national deficit. Nonetheless, the number of co-sponsors has grown to 151 in the House (H.R. 1306) and 8 in the Senate (S. 722).

A similar bill, relating to the rollback of the distilled spirits tax, currently has 41 co-sponsors in the House (H.R. 1791). There is currently no Senate version of this bill.

If your Representative or Senator is NOT already listed as a co-sponsor, please contact them with thanks for refraining from supporting this legislation. Use the opportunity to educate them about the negative public health impacts of reducing taxes on alcoholic-beverages, and urge them instead to consider ways to increase alcohol taxes. If your legislator IS listed as a co-sponsor, you may wish to contact them anyway, to register your opposition to the bill and educate him or her on the reasons why the bill would be bad public health policy.

Related Links:
CSPI Tax Rollback Action Alert:
Beer Tax Rollback--House co-sponsors:
http://thomas.loc.gov/cgi-bin/bdquery/z?d109:HR01306:}@@P
Beer Tax Rollback--Senate co-sponsors:
http://thomas.loc.gov/cgi-bin/bdquery/z?d109:SN00722:}@@P
Liquor Rollback co-sponsors:
http://thomas.loc.gov/cgi-bin/query/C?c109:~temp/~c109rRhhRD
Advocacy News

NCAA Executive Committee Passes the Buck on Alcohol Ads

In early August the NCAA’s Executive Committee met in Indianapolis to discuss, among other issues, the NCAA’s policy on alcohol advertising. The Campaign for Alcohol-Free Sports TV and the American Medical Association (AMA), among others, strongly urged the Committee to end beer ads during NCAA broadcasts.

The NCAA settled on a mixed response.

On the one hand, the organization acknowledged the seriousness of alcohol problems on campus and in the larger community, and the need to address them; it directed member schools to conduct a review of their alcohol policies, including alcohol ads on sports telecasts, and encouraged NCAA schools to consider the "restrictions" that the NCAA has adopted.

On the other, after heated debate, the Executive Committee decided to maintain, for now, the current NCAA alcohol advertising policy. The NCAA’s policy limits advertising to products that do not exceed six percent alcohol by volume (i.e., beer) and restricts the amount of advertising to not more than 60 seconds per hour on NCAA telecasts.

The Campaign pointed out that those basic tenets of the NCAA policy are virtually meaningless, and likely counter-productive. Favoring beer (the chief alcohol trouble-maker on campuses across the nation) over other forms of booze seems strange, at best. Limiting ads to one minute per hour provides effectively no limit at all. That “limit” allowed a concentration of beer ads on the telecast of the 2004 NCAA championship basketball game that is 16 times greater than the average of alcohol ads on all other television programming. We believe this policy is untenable and inconsistent with the goals and mission of institutions of higher education.

Despite the temporary set back, the Campaign’s work to date has quickly elevated the discussion of the alcohol ad issue at the NCAA to its highest-level decision-making body. The NCAA’s message to member schools (that they review and reform their alcohol policies) should also help us in strengthening support for system-wide policy change. We look forward to the challenges ahead, and we expect that the progress we've made so far will expand as we continue the Campaign.

Related Links:
NCAA’s Alcohol Policies:

Report Questions NCAA’s Youth Marketing

In late July, the Campaign for Alcohol-Free Sports TV, a project of CSPI, released “Take a Kid to a Beer: How the NCAA Recruits Kids to the Beer Market.”

The study provides evidence that the NCAA’s aggressive youth-marketing activities – whether by design or not – attract millions of children and teens to the NCAA brand and to advertisers on college sports, including beer producers. Lining up young sports fans for beer sellers undermines the fundamental values and mission of the nation’s colleges and universities and of the NCAA.

The report was distributed to NCAA Executive Committee members, signers of the College Commitment, every NCAA member school’s president, Campaign endorsers, and the media.

“The NCAA can play a positive role in society by getting kids interested in athletics and physical activity, and by getting kids excited at the prospect of continuing their education at a college or university,” said CSPI alcohol policies project director George A. Hacker. “But beer advertising is totally inconsistent with those youth recruitment efforts. We’re all for the NCAA expanding interest in its brand. But it shouldn’t be serving up potential underage drinkers to Anheuser-Busch and other brewers.”

Related Links:
“Take a Kid to a Beer: How the NCAA Recruits Kids to the Beer Market”:

Parents Call for an End to Beer Ads on College Sports

Several parents of college students, who are among the most deeply affected by college drinking, joined the Campaign by writing to members of NCAA’s Executive Committee prior to their consideration of the alcohol advertising issue. In an August letter, Catherine Bath, whose son Raheem died while a student at Duke University; Michael Lanahan, whose stepson Gordie Bailey died last year at the University of Colorado; and Edie Heideman, whose son Adrian died at California State University at Chico, called on the NCAA and its member schools to end beer ads on college sports broadcasts. Doing so, they wrote, would signal a “strong leadership step to curb the culture of alcohol that infects too many of our nation’s campuses and puts too many young people at risk.”

While acknowledging that an end to beer ads would not have saved the lives of their children, the parents wrote, “We cannot see how colleges and universities – whose fundamental mission is to develop and nurture young people into productive members of society – justify profiting from marketing alcohol to students and other young fans on college sports broadcasts.”

Related Links:
Parents’ Letter to the NCAA:

(continued on page 5)
Under Pressure, Coors Pulls Busboy Ad
At the beginning of summer, CSPI complained to the Beer Institute and Coors Brewing Company about a television ad that we believed violated the Institute’s voluntary advertising guidelines. The ad featured a bus boy rapidly clearing tables of bottles of Coors Light beer. Because he was not really a bar employee, but obviously an imposter interested in collecting the bottles to improve his chances of winning free music in a related Coors promotion, we alleged that the advertisement portrayed or implied illegal activity, a “no-no” in the Code.

Coors asked CSPI to utilize the independent third-party ad review process it had arranged with the National Advertising Division of the Better Business Bureau (BBB). After a rigorous back and forth within the BBB’s Advertising Pledge Program, the BBB ultimately upheld CSPI’s complaint and directed Coors to discontinue the ad. Coors, without conceding any wrong-doing, immediately complied on August 5.

Related Links:
CSPI’s Issue Update about the BBB decision:
http://cspinet.org/booze/2005/Busboy.htm

“Back to School” with Booze-Brand Tees
Despite asserted precautions built into the licensing agreements for the distribution of beer- and liquor-brand logos and insignia, shoppers around the country were confronted with Bud, Coors, Jack Daniels, and other booze-brand t-shirts this summer in the young adult and “back to school” sections of numerous popular retailers, including J.C. Penney, Target, and Kohl’s. A firestorm of complaints to the stores -- from many sources – erupted. CSPI, noting that such practices violated at least the spirit of the beer and liquor industries’ voluntary advertising and marketing codes, wrote to the Beer Institute and the Distilled Spirits Council of the United States. We are happy to report that we got immediate responses (and another later response from Anheuser-Busch) that promised full cooperation in efforts to rid the youth sections of stores of such merchandise and tighten up procedures for the licensing of retail products that might have youth appeal. Nonetheless, we hope community activists will continue to monitor local retailers to help avoid a repeat of this inappropriate booze marketing.

Related Links:
CSPI Supporting Alert:
http://cspinet.org/booze/2005/Alc_Tees_AA.htm
Marin Institute Alert:
http://www.marininstitute.org/take_action/alerts.htm
A-B and Miller Response:
Industry Watch

Anheuser-Busch: “To Your Health”

Anheuser-Busch may be setting the stage for a new campaign to tout the alleged health benefits of moderate beer consumption. Following the example of the wine industry, which has successfully branded wine (especially red wine) as the “heart-healthy” alcoholic beverage, one Anheuser-Busch executive bluntly stated that the company is looking to extend this model to beer. “We are going to get very, very vocal about the health benefits of moderate consumption of alcohol, especially beer,” said Bob Lachky, a senior executive with Anheuser-Busch, in a recent Marketwatch article. “We have ceded this ground to wine and that is absolutely wrong. A Budweiser is just as good as a cabernet in terms of its health benefits.”

In March 2003, TTB set strict standards for alcohol health claims on alcoholic-beverage labels and in advertising. The regulations “prohibit the appearance on labels or in advertisements of any health-related statement, including a specific health claim that is untrue or tends to create a misleading impression.” A similar set of rules governing health claims exists in Europe.

To date, Anheuser-Busch seems to have taken mostly rhetorical steps to promote beer as a health drink. The Anheuser-Busch Foundation does, however, partially fund the research of the American Council on Science and Health, an organization that claimed health benefits of alcohol consumption in a 1999 report titled, “Moderate Alcohol Consumption and Health.” The beer giant also partially funds the research of Charlie Bamforth, the Anheuser-Busch Endowed Professor of Brewing Science at the University of California, Davis. The abstract of Bamforth’s 2002 paper, titled “Nutritional Aspects of Beer: A Review,” proclaims that “Much has been written about the favorable impact on the body of moderate consumption of red wine. Critical assessment of the literature, however, indicates that beer appears to be just as beneficial in countering diseases such as coronary heart disease. Additionally beer can make a substantial contribution to the diet in respect of certain B vitamins, minerals, antioxidants and perhaps fiber.”

In a recent speech, Anheuser-Busch President August Busch IV said that the company will “help doctors and nutritionists to publicize their findings” about the health benefits of moderate drinking.

We will continue to monitor Anheuser-Busch activity in this area and insist that TTB crack down on unsubstantiated and misleading claims suggesting that beer drinking is healthy.

Alcohol Producers Fight for Share of Wallet and Stomach

The competition for stomach space has ramped up dramatically among the beer, wine, and spirits industries – and the beer industry is struggling harder than ever to maintain market share that its executives consider “rightfully ours.” Overall alcohol consumption also increased by nearly 3 percent between 1997 and 2002.

Beer still has the largest share of retail sales: 54 percent of the market, compared to 31 percent for liquor and 15 percent for wine. But that’s down 1.2 percent between 2000 and 2003. During that period both wine and liquor made major gains. Now, big beer is fighting back, with a slew of new products, aggressive on-premise promotions, novel drink recipes, and a hefty advertising budget. They’ve got a real battle with distillers, who are rapidly expanding their broadcast advertising, Sunday sales initiatives, liquor tastings, product innovations, and other promotions.

Liquor companies are now advertising in spaces that once only portrayed beer. In the mid-1990s, liquor companies lifted a voluntary ban on TV advertising that had persisted since the 1930s, and targeted cable TV. The major networks have kept the door shut to liquor ads, but those bans may crumble as liquor ads become more ubiquitous on cable and independent TV. The cracks in the ban are already evident in distillers’ 2005 sponsorship of NASCAR teams, featuring televised race cars promoting Crown Royal, Jim Beam, and Jack Daniel’s. Already, more than 600 network affiliates and cable channels carry liquor ads and Diageo’s product ads slip onto network TV as backdrop at FedEx Field, home to the Washington Redskins. Jim Beam Bourbon launched its first national television advertising campaign in late September, increasing the pressure on the networks to re-evaluate their current voluntary bans on liquor ads.

Although many cultural, social, and economic factors combine to enhance the popularity of liquor, there seems to be little doubt that the liquor industry’s full-scale advertising and promotional assault has begun to change the drinking market and has raised stakes for the public health community. We should all watch those developments closely and construct effective strategies to counter them.
Contact Information:

For more information, please send an email to: washrpt@cspinet.org.

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