

THE CQ Researcher

PUBLISHED BY CONGRESSIONAL QUARTERLY INC.

Alcohol Advertising

Should liquor be advertised on radio and TV?

Liquor ads began running on television last year for the first time in nearly a half-century. Many public health groups and government officials reacted with alarm, arguing that distilled spirits ads inevitably would be seen by young, impressionable viewers — and in fact deliberately were aimed at youth. The major networks say they won't run liquor commercials. But distillers argue that a standard serving of wine or beer contains approximately the same volume of alcohol as a mixed drink, and that they are only seeking a level playing field with wine and beer, which have advertised on radio and television for decades. Critics retort, however, that the liquor industry's actual goal is to boost liquor sales, which have been declining for years.



INSIDE THIS ISSUE

| | |
|-------------------------|-----|
| THE ISSUES | 219 |
| BACKGROUND | 224 |
| CHRONOLOGY | 227 |
| CURRENT SITUATION | 229 |
| OUTLOOK | 232 |
| AT ISSUE | 233 |
| BIBLIOGRAPHY | 236 |
| THE NEXT STEP | 237 |



March 14, 1997 • Volume 7, No. 10 • Pages 217-240

Formerly Editorial Research Reports

THE ISSUES

- 219 • Does alcohol advertising encourage underage or excessive drinking?
• Are beer, wine and liquor essentially identical products?

BACKGROUND

- 224 **Temperance Movement**
The movement's first period of success occurred in the early 1850s, when 13 states passed prohibition laws.

- 226 **Limiting Alcohol Laws**
Soon after the repeal of prohibition in 1933, Congress and the liquor industry instituted restrictions on liquor advertising.

- 228 **Project SMART**
In 1985, a broad-based coalition failed to get Congress to ban beer and wine ads on radio and TV, or to require health warnings with ads.

CURRENT SITUATION

- 229 **Action in Congress**
Congress has yet to act on the Sensible Advertising and Family Education (SAFE) Act, first introduced in 1993.

- 229 **Court Decisions**
Citing First Amendment rights, the Supreme Court last year overturned a Rhode Island law barring prices in retail liquor ads.

- 230 **Regulatory Agencies**
Action against broadcast liquor ads by the Federal Trade and Communications commissions is uncertain.

OUTLOOK

- 232 **Voluntary Curbs?**
The liquor industry may police itself more forcefully in the future to avoid legislative action.

- 234 **More Internet Ads?**
A report issued March 6 predicted that the World Wide Web would become more powerful than TV in marketing alcohol.

SIDEBARS AND GRAPHICS

- 220 **A Drink Is a Drink Is a Drink**
Servings of beer, wine and alcohol have the same amount of alcohol.

- 221 **Minorities Object to Targeted Alcohol Ads**
Marketing of malt liquor is a big concern.

- 222 **Advertisers and Drinkers Hooked on Beer**
Most ad and consumer dollars go for beer.

- 224 **Liquor Drinking Declines**
But beer consumption has been rising.

- 227 **Chronology**
Key events since 1812.

- 230 **Efforts Focus on Alcohol Abuse by Youth**
MADD and other groups seek more restrictions.

- 233 **At Issue**
Should liquor commercials be banned from television?

FOR FURTHER RESEARCH

- 236 **Bibliography**
Selected sources used.

- 237 **The Next Step**
Additional articles from current periodicals.

March 14, 1997
Volume 7, No. 10

EDITOR

Sandra Stencel

MANAGING EDITOR

Thomas J. Colin

ASSOCIATE EDITORS

Sarah M. Magner
Richard L. Worsnop

STAFF WRITERS

Charles S. Clark
Mary H. Cooper
Kenneth Jost
David Masci

EDITORIAL ASSISTANT

Vanessa E. Furlong

PUBLISHED BY

Congressional Quarterly Inc.

CHAIRMAN

Andrew Barnes

VICE CHAIRMAN

Andrew P. Corty

PRESIDENT AND PUBLISHER

Robert W. Merry

EXECUTIVE EDITOR

David Rapp

Copyright 1997 Congressional Quarterly Inc., All Rights Reserved. CQ does not convey any license, right, title or interest in any information — including information provided to CQ from third parties — transmitted via any CQ publication or electronic transmission unless previously specified in writing. No part of any CQ publication or transmission may be republished, reproduced, transmitted, downloaded or distributed by any means whether electronic or mechanical without prior written permission of CQ. Unauthorized reproduction or transmission of CQ copyrighted material is a violation of federal law carrying civil fines of up to \$100,000 and serious criminal sanctions or imprisonment.

Bibliographic records and abstracts included in The Next Step section of this publication are the copyrighted material of UMI, and are used with permission.

The CQ Researcher (ISSN 1056-2036). Formerly Editorial Research Reports. Published weekly (48 times per year, not printed Jan. 3, May 30, Aug. 29, Oct. 31) by Congressional Quarterly Inc., 1414 22nd St., N.W., Washington, D.C. 20037. Annual subscription rate for libraries, businesses and government is \$340. Additional rates furnished upon request. Periodicals postage paid at Washington, D.C., and additional mailing offices. POSTMASTER: Send address changes to The CQ Researcher, 1414 22nd St., N.W., Washington, D.C. 20037.

Alcohol Advertising

BY RICHARD L. WORSNOP

THE ISSUES

Two telegenic dogs made advertising history recently in Corpus Christi, Texas. The canines were depicted as “obedience school graduates” in a commercial aired last June on KRIS-TV, the local NBC affiliate. One pooch was shown holding a newspaper in its jaws; then the class “valedictorian” trotted into view, not with a paper but a pouch containing a bottle of Seagram’s Crown Royal whiskey.

From a creative standpoint, the commercial may not have been ready for prime time. Nor did many viewers realize they were watching a broadcasting milestone. But the ad marked the first time that a liquor company had broken a 60-year-old voluntary industry ban on broadcast advertising of distilled spirits — hard liquor.

Not surprisingly, the ad sent tremors through the alcoholic beverage industry, which has long been dominated by beer makers. It also attracted the concerned attention of the public health and federal regulatory communities, raising new questions about the need for tighter government curbs on alcohol advertising.

In Corpus Christi, calm prevailed. According to KRIS owner F. Frank Smith Jr., there was “very little” viewer reaction to the commercials. “They ran through June, were off for a while and then they ran again during the Olympics and during the holidays.” Other liquor companies have inquired about Seagram’s deal with KRIS, Smith reports, but so far, “No one else has said to us, ‘Would you like to take our order?’”

At the same time, Smith is aware of the media stir his station caused. “All the comment seems to come from Washington,” he says. “I think people up there are just looking for



some kind of a national controversy to latch onto.”

It seemed, at first, that the controversy was destined for an early fade. The four major TV broadcasters — NBC, ABC, CBS and Fox — quickly announced they would not show liquor ads on network programs or individual stations owned and operated by them. They noted, however, that they had no control over the advertising practices of their affiliates.

The flap took a new turn Nov. 7, when the Distilled Spirits Council of the United States (DISCUS) announced that it was lifting the voluntary ban on broadcast advertising adopted by the liquor industry in 1936. “For decades, beer and wine have been advertised on television and radio while the distilled spirits industry has upheld its own voluntary ban,” said DISCUS President and CEO Fred A. Meister. “The absence of spirits from television and radio has contributed to the mistaken perception that spirits are somehow ‘harder’ or worse than beer or wine and thus deserving of harsher social, political and legal treatment.”¹

Meister added that advances in broadcast technology had contributed to the policy change. “The extensive growth of cable, computer and broad-

cast communications continues to fragment audiences,” he explained. “Audience fragmentation enables the distilled spirits industry to direct its messages more precisely to adult audiences than would have been possible when we first voluntarily decided not to advertise on radio or television. At that time there were only a few channels.”

Among broadcasters, reaction to the DISCUS decision was muted. Edward O. Fritts, president and CEO of the National Association of Broadcasters (NAB), cited the organization’s “staunch support of the First Amendment rights of broadcasters to advertise legal products.” Nonetheless, he said, the NAB was “disappointed with DISCUS’ decision to end its voluntary code.” Fritts added that “individual stations have adopted their own standards regarding the acceptability of hard liquor advertising,” and he expressed confidence that they “will continue to make judgments every day on what is most appropriate for their local audiences.”²

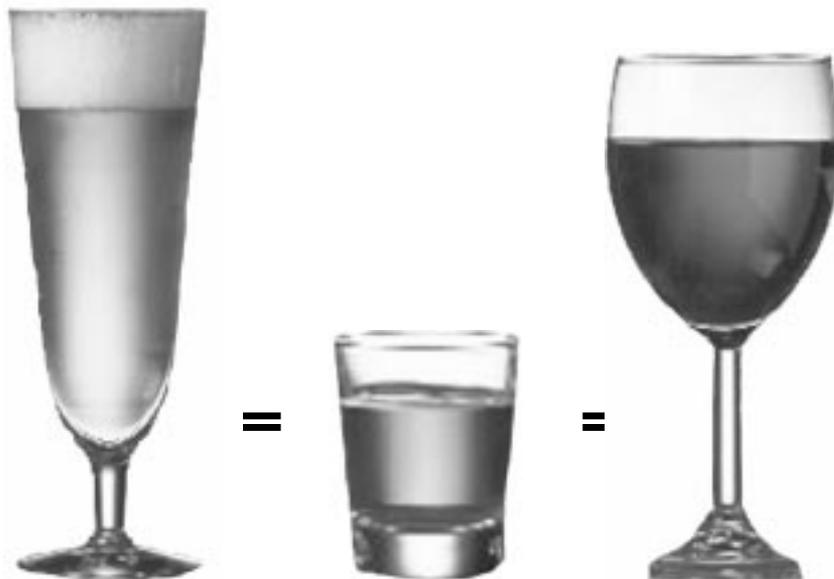
The Cabletelevision Advertising Bureau (CAB) said it would continue to adhere to its advertising guidelines, which call for decisions about advertising distilled spirits “on a case-by-case basis.”

But President Clinton and other top government officials lambasted DISCUS. It was “simply irresponsible” of the liquor industry to reverse its longstanding broadcast advertising ban, Clinton said Nov. 9 in his weekly radio address to the nation. “We’ve worked so hard here to warn our children about the dangers of drugs [and] we also have a duty to protect our families from the consequences of alcohol abuse,” the president said. “Now the American liquor industry has made a decision that will make this hard work even harder.”

Sounding a bipartisan note, Senate Majority Leader Trent Lott, R-Miss.,

A Drink Is a Drink Is a Drink

Although the percentage of alcohol is lower in beer and wine than in distilled spirits, standard servings of beer (12 ounces), wine (five ounces) and cocktails (1 1/2 ounces of scotch, vodka etc.) all contain the same amount of absolute alcohol. According to the National Council on Alcoholism and Drug Dependence, "Beer, wine and liquor have the same effect if the person drinks them in a standard size serving and at the same rate."



Note: Low-fat or "lite" beers have the same alcohol content as regular beer.

Source: National Coalition on Alcoholism and Drug Dependence

said on NBC's "Meet the Press" the next day, "I think that [advertising alcohol on TV] is a big mistake. I think it would have a bad impact on our children and young people and society as a whole."

Federal Communications Commission (FCC) Chairman Reed E. Hundt also berated DISCUS, calling its decision "disappointing for parents and dangerous for kids." Hundt has argued that the FCC shares authority with the Federal Trade Commission (FTC) over radio and television advertising for liquor — a position challenged by trade groups representing advertisers and ad agencies. Indeed, 26 Democratic and Republican mem-

bers of Congress wrote to the FCC in November urging a formal investigation of liquor ads on television. The lawmakers said they feared a flood of liquor ads on television, "leaving our children to drown in images of academic and athletic success that is to be gained by drinking liquor."

But Rep. John D. Dingell, D-Mich., the ranking minority member of the House Commerce Committee, has challenged the FCC's authority. In a Jan. 2 letter to Hundt, he said that "Congress has never given the [FCC] the ability to censor specific programming or advertising; to prohibit or limit broadcasters' ability to air commercial advertising; or to prohibit or

limit particular advertising of products or services legally sold in interstate commerce." He added, "It is unclear that Congress could give the commission the ability to do any of those things in a manner consistent with the First Amendment."

Former Sen. George S. McGovern, D-S.D., wants the FCC "to conduct a careful investigation of the actual impact of alcohol advertising on young people." McGovern, the 1972 Democratic presidential nominee, is national spokesman for the National Council on Alcohol and Drug Dependence (NCADD).^{*} "To what extent does advertising cause young people to turn to drinking — even more seriously, uncontrolled drinking?" McGovern asks. Moreover, he wants to "know more about what happens to the 15-20 million alcoholics in this country — some of whom are in recovery, most of whom are not — under the influence of these seductive television ads on alcoholic beverages."

To McGovern and others seeking tighter curbs on advertising alcoholic beverages, the First Amendment could be a major obstacle. As many commentators have noted, Seagram's break with liquor industry tradition last year was announced shortly after the Supreme Court struck down a Rhode Island law that barred print advertisement of retail liquor prices except at the point of sale. The court held that the law abridged retailers' constitutionally protected right of free speech (*see p. 229*).

There is speculation that the distilled spirits industry will cite its First Amendment rights if future broadcast liquor advertising comes under court challenge. The industry says it simply wants to compete with beer and wine on a level playing field, exercising the same right to advertise on TV and

^{*}McGovern's daughter Theresa froze to death at age 45 in 1994 while acutely intoxicated. McGovern's book, *Terry: My Daughter's Life-and-Death Struggle With Alcoholism*, was published in 1996.

Minorities Object to Targeted Alcohol Ads

Marketing to minorities has long been among the most sensitive issues confronting alcoholic beverage makers. A decade ago, the Center for Science in the Public Interest (CSPI) published two highly critical reports on the subject.¹ And in 1992, the introduction of Crazy Horse Malt Liquor drew widespread criticism.²

Crazy Horse “is only the latest in a string of offensive malt liquor campaigns,” Patricia Taylor, former director of CSPI’s alcohol policies project, testified at a congressional hearing. “We condemn Crazy Horse’s manufacturer for the way in which the company has appropriated a spiritual and cultural figure to promote a product responsible for such much devastation to Native Americans.”³

Crazy Horse remains on the market despite persistent efforts by Native American groups and their supporters to force Hornell Brewing Co. to halt its production. “To the people who put this out, it’s nothing but a way to make money,” said Big Crow, a descendant of Crazy Horse. “For them, everything is there to make money off of. But there are many things that we honor and cherish, and we are going to defend them.”⁴

CSPI and other critics of malt liquor marketing object in particular to the fact that it is often sold in 40-ounce cans. “Singles of that size enhance the user’s ability to become intoxicated,” says George A. Hacker, current director of the group’s alcohol policies project. (Malt liquors typically contain as much as 20 percent more alcohol than regular beers.)

Jeff Becker, the Beer Institute’s vice president for alcohol issues, acknowledges that malt liquor advertising often is placed in African American and Hispanic communities. But he rejects claims that the ads promote alcohol abuse, noting that studies show lower rates of alcohol consumption among blacks and Hispanics than among whites. And he says it is insulting to intimate that members of minority groups are

less able to assess the content of alcohol advertising than other people.

Malt liquor marketing practices remain an area of concern for CSPI, says Hacker. “But it hasn’t been as high-level an issue in the last couple of years,” he says, “because other things have arisen that seem more urgent right now.” He cites liquor advertising on television and radio and concerns about alcohol’s impact on health as prime examples.

Though no clear pattern has yet emerged, there are indications that liquor companies may find radio and TV stations in minority areas especially receptive to their advertising. Broadcasting and alcohol industry observers note that the only two national cable TV networks to accept liquor commercials to date are Black Entertainment Television, oriented toward African Americans, and Telemundo, a Spanish-language service that has run spots for Presidente Brandy. And it may be more than coincidence that the first liquor ads to run on U.S. television appeared on a station in Corpus Christi, a southern Texas city with a large Hispanic population.

As the CSPI reported in its report on marketing to Hispanics, “Today, the Hispanic community is paying the price for the marketing savvy of the alcohol and tobacco companies with increased levels of drinking and smoking.”

¹ “Marketing Booze to Blacks” (1987) and “Marketing Disease to Hispanics” (1989).

² Crazy Horse is the Sioux chief whose forces defeated Col. George A. Custer at the 1876 Battle of Little Bighorn in Montana. Custer and all the members of his regiment died in the battle.

³ Testimony before House Select Committee on Children, Youth and Families, May 19, 1992.

⁴ Quoted by Michael A. Fletcher, “Crazy Horse Again Sounds Battle Cry,” *The Washington Post*, Feb. 18, 1997, p. A3.

radio. After all, the liquor industry stresses, beer, wine and hard liquor are equal in that typical servings of beer and wine contain approximately the same volume of ethyl alcohol as hard liquor.

There’s no argument that the distilled spirits industry hopes to revive its sagging fortunes. Liquor sales have been declining for years, a trend that the industry itself expects to continue at least through the year 2000. (*See graphs, p. 224.*)

Whether liquor producers will turn to radio and television commercials — and whether broadcast ads can

spark a sales turnaround — remain to be seen. As industry officials, government regulators and consumers ponder the influence of alcohol advertising on American society, here are some of the questions being asked:

Does alcohol advertising encourage underage or excessive drinking?

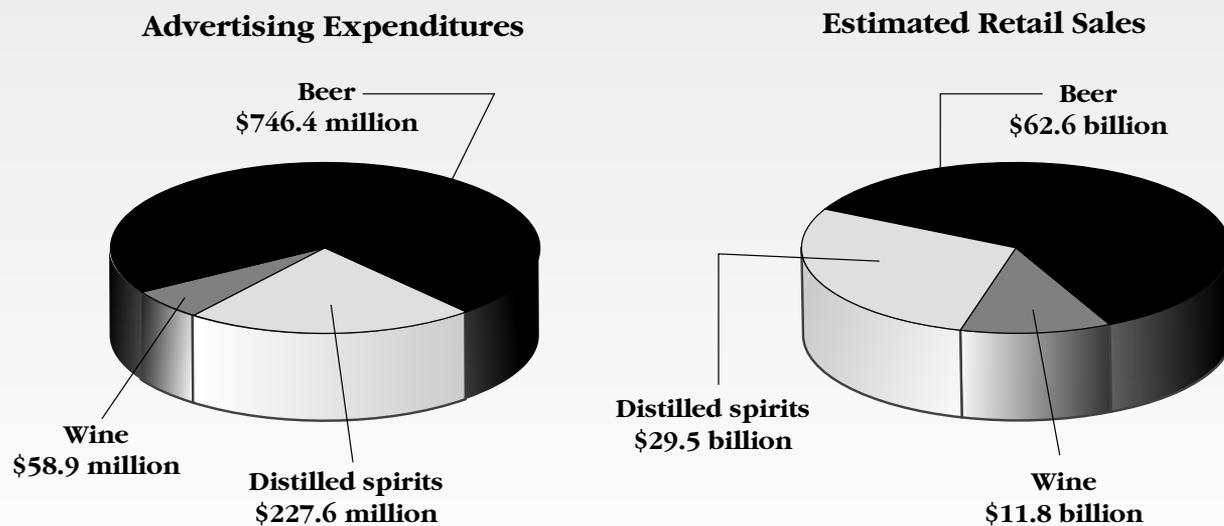
The alcohol industry, like the tobacco industry, says it doesn’t pitch its products specifically at young people. Consumer and public health groups scoff at the claim, noting that beer is heavily advertised on televised sports

events, which are popular with high school and college students. They also argue that commercials featuring real or cartoon animals, such as Seagram’s obedience school dogs or Budweiser’s talking frogs, are designed expressly to catch the eye of young viewers.³ (*See story, p. 230.*)

Actually, says the Coors Brewing Co., “Advertising and other marketing practices promote competition, resulting in higher quality and lower-priced products for consumers. Restrictions on advertising will not reduce the misuse of alcohol. . . . Advertising does what it is designed to do — promote consumer

Drinkers and Advertisers Are Hooked on Beer

Nearly three-fourths of the more than \$1 billion spent to advertise alcoholic beverages in the U.S. in 1995 promoted beer, while less than one-quarter of the total was spent on distilled spirits. American consumers spent an estimated \$104 billion on alcoholic beverages in 1995, nearly two-thirds of it on beer and slightly less than one-third on spirits.



Sources: *CMR and Impact Databank* (advertising); *Distilled Spirits Council of the United States* (retail sales)

loyalty and encourage brand shifting.”⁴

Adds Francine Katz, vice president of consumer awareness and education at Anheuser-Busch: “Awareness of an ad does not cause drinking any more than ignorance causes abstinence.”⁵

Advertising executive Joseph C. Fisher makes a similar claim in a 1993 book often cited by alcohol industry officials. “Advertising appears to have a very weak positive influence on consumption and no impact on experimentation with alcohol or abuse of it,” he wrote. “Moreover, there is no evidence that changes in regulations regarding permissible advertising that either increase or decrease it affect consumption patterns.”⁶

Alcohol industry critics disagree. McGovern, for instance, believes young people decide to sample alcohol mainly because of peer pressure

— but “advertising reinforces” the decision. “I’m not a big television watcher, but I am a sports fan,” he says. “And I’m struck by how seductive those beer commercials are. You see these healthy, attractive young men and women drinking beer, and at the end someone says, ‘It just doesn’t get much better than this.’”

“Well, it can get a hell of a lot worse if you drink too much of that stuff. That’s the side of the story that needs to be told. I think the net impact of alcohol advertising is to convince people that drinking produces fun, relaxation, sex, social advancement — that it’s the thing to do if you want to take part in the real joys of life.”

McGovern adds that he is a firm believer “in truth in advertising and truth in labeling. I’ve had an interest in that ever since my days as chairman

of the Senate Select Committee on Nutrition. I always favored more labeling of the content of products, and also the possible side effects.”

Morris E. Chafetz, president of the Health Education Foundation and the first director of the National Institute on Alcohol Abuse and Alcoholism, doubts whether there is a connection between alcohol ads and alcohol consumption. “[O]pponents of TV advertising for distilled spirits (or any other alcoholic beverage, for that matter) assert a connection between the ads and the altering of behavior that, scientifically speaking, just isn’t there,” he wrote recently.⁷

“As a father and grandfather, I’ve noticed through the years that young people are not Pavlovian in their responses,” Chafetz added. “Billions of dollars are spent each year bombarding young people with ads for all

kinds of products, some of which they covet and some of which they ignore.” (See *“At Issue,”* p. 233.)

But Sarah Kayson, director of public policy at the NCADD, argues that alcohol advertising “leads to the normalization and glamorization of alcohol use in just about any situation in American society — and for anybody. We don’t believe it has a Pavlovian dog effect, where someone watches a beer commercial and then immediately gets up and downs a six-pack.

“Our concern is about ads giving an unrealistic view of what alcoholic beverages are, and what they do. You know, ‘If you drink, then you’re more attractive to the opposite sex.’ We find that approach to be very problematic, to say the least. The same goes for ads that portray drinking as a reward for a hard day’s work.”

Jeff Becker, the Beer Institute’s vice president for alcohol issues, retorts that alcohol ads reflect and encourage popular desires for healthier lifestyles. “The best example of that is [low-calorie] ‘lite’ beer, which now comprises more than 35 percent of the total beer market,” he says.

Art DeCelle, the institute’s general counsel, stresses that advertising is just part of an internal beer industry struggle for market share. “People from the Federal Trade Commission and the Bureau of Alcohol, Tobacco and Firearms come to our office all the time to look at industry publications that track beer advertising,” he says. “And when they see that beer advertising is tracked by brand, they ask us, ‘Don’t you have anything else? Isn’t this monitored any other way?’ Well, the fact is that beer advertising is all about brands, and that is how it is followed in the industry.”

George A. Hacker, director of the alcohol policies project of the Center for Science in the Public Interest (CSPDI), dismisses the industry denials. “It’s just ludicrous that the industry contends advertising has no effect on consumption, or that alcohol companies only advertise to shift people

pulse as with any other product, whether it’s laundry detergent or chocolate pudding. You just want people to use your product more frequently.

“So, it’s ridiculous for this industry to claim it doesn’t seek to increase consumption of what it makes, and that it spends millions of dollars a year just trying to shift people from one brand to another. That simply doesn’t happen, and a person has to be incredibly naive — or incredibly rich from contributions from industry political action committees — to believe something like that.”

Are beer, wine and liquor essentially identical products?

“Although ‘alcohol is alcohol,’ that doesn’t mean that beer and liquor and wine are all the same,” Hacker says. “They’re consumed in different situations. The alcohol in liquor is much more concentrated, particularly given the thoughtless way in which many young people drink. Persuading them to drink liquor instead of beer would increase the level and the severity of alcohol-related problems.”

“When you read about alcohol poisonings on college campuses,” Hacker adds, “that doesn’t occur when kids are drinking only beer or wine. It occurs when they are drinking liquor, either alone or in combination with other substances.”

But McGovern feels it’s “a mistaken view that hard liquor is more dangerous than beer and wine. There’s just as much alcoholism in this country stemming from beer and wine as there is from vodka and bourbon and scotch. In fact, as beer and wine consumption increased, they have become more of a danger in terms of producing addiction, auto accidents



This print advertisement for Seagram’s Crown Royal whiskey is similar to the Seagram’s ad first broadcast on KRIS-TV in Corpus Christi, Texas, in June 1996, breaking the liquor industry’s voluntary ban on broadcast liquor ads.

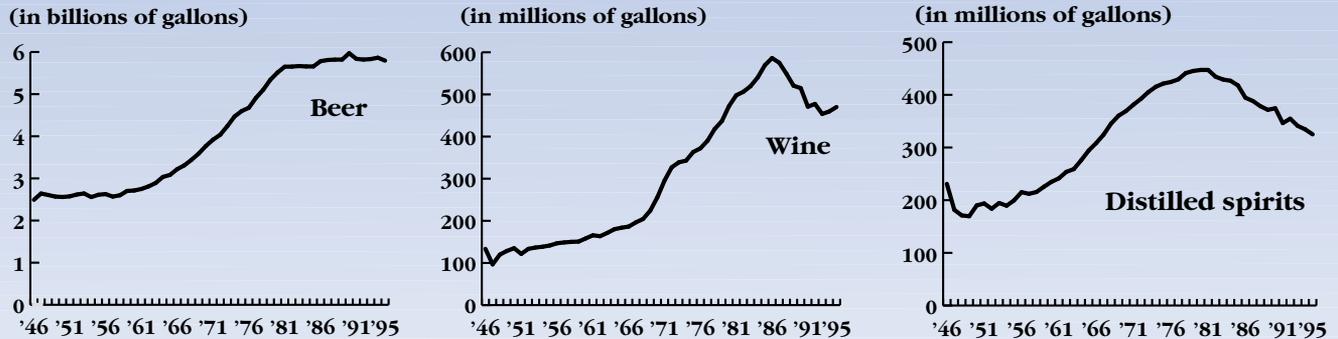
from one brand to another.”

“Of course they go after new users,” Hacker says. “And the new users happen to be kids. Let’s face it: Old drinkers die, and new drinkers grow up. The industry would say new users start drinking at 21, but that’s absurd. In this country, new alcohol users start at 13. And the industry knows that very well.”

Hacker also notes that beer, wine and liquor producers “are interested in increasing the consumption of those who already use alcohol. It’s the same im-

Liquor Drinking Declines While Beer Flows Freely

The decline of U.S. hard liquor consumption in the past 15 years has fueled the concern that liquor companies will turn to TV and radio advertising to try to take market share away from beer and wine.



Source: Distilled Spirits Council of the U.S., Feb. 18, 1997; based on data from the Beer Institute, Wine Institute, National Alcoholic Beverage Control Association and Steve Barsby & Associates Inc.

and so on.”

In McGovern's view, “The distillers have a point when they say that if we're going to permit the advertising of beer and wine, why not allow them to advertise their products, too? It's hard to refute them in any scientifically sound way.”

Sarah Ward, president of the National Woman's Christian Temperance Union (WCTU), regards all alcoholic beverages as basically identical for the simple reason that “we are opposed to all of them.” She notes that, on a per-serving basis, “there's the same amount of ethyl alcohol in each drink. The only difference is whether you want to get the poison in your system with a couple of gulps, or you want to take a little longer — it all has the same ultimate effect.”

But Gladys Horiuchi, communications manager for the Wine Institute, a San Francisco-based trade group, points out that many vintners prefer to target affluent consumers rather than the larger market sought by beer and liquor advertisers. “People who buy

wine tend to be upper-income and college-educated,” she says. Consequently, many wineries “feel they are able to precisely target that market by placing print ads in *Smithsonian* or *Runner's World*, or similar niche magazines. They often feel television is a waste of their advertising money, because you are reaching out to people who do not drink fine table wines. And don't forget that TV is an enormously expensive advertising medium.”

For Kayson, the key issue is not the distinctiveness of various alcoholic beverages or their marketing niches but the combined volume of advertising used to market all alcoholic beverages. “We're concerned that \$600 million worth of beer ads already appears on TV every year,” she says. “Who knows how much the distilled spirits companies would be willing to spend on commercials?”

“We're not concerned simply because the distilled spirits industry is becoming involved. The problem is that kids will be exposed to many more alcohol ads, and there will be a dou-

bling of the normalization and glamorization of alcohol in our country.”

But to DISCUS chief Meister, the issue comes down to parity. “There is simply no justifiable social, political or scientific basis for treating spirits differently than other alcoholic beverages.” ■

BACKGROUND

Temperance Movement

Americans have had mixed feelings about alcohol since Colonial times. “In the period immediately after the American Revolution, a generally favorable view of alcoholic beverages coincided with rising levels of consumption that far exceeded any in modern times,” wrote Yale University's David F. Musto, an authority on attitudes toward alcohol and other drugs. “By the early decades of the

19th century, Americans drank roughly three times as much alcohol as they do in the 1990s.”⁸

They viewed alcoholic beverages as “important and invigorating foods, whose restorative powers were a natural blessing,” Musto noted in a historical survey. People in all regions and of all classes drank heavily — and at all hours. They imbibed wine with sugar at breakfast, took a work break for “bitters” (strongly hopped ale) around 11 a.m., downed beer and cider at lunch, drank more bitters at about 4 p.m., and then consumed toddies (brandy or other liquor mixed with hot water, sugar and spices) at supper and during the remainder of the evening.⁹

Conventional wisdom held alcohol to be superior to water, which in fact was often hazardous to drink. Alcohol also acted as a social lubricant. “Hired farm workers were supplied with spirits as part of their pay and generally drank with their employer,” Musto noted. “Stores left a barrel of whiskey or rum outside the door from which customers could take a dip.”

Though strong drink was freely available, there was little tolerance for drunkenness, which was blamed not on the alcohol but on the irresponsibility of those who drank to excess.

Indeed, public drunkenness was a punishable offense in many places. The earliest law to address the problem was a 1619 Virginia statute that decreed that a person found drunk for the first time was to be reprimanded privately by a minister, the second time publicly and the third time made to “lye in halter” for 12 hours as

well as to pay a fine. In the Massachusetts Bay Colony, drunkenness was punishable by whipping, fines and confinement in stocks. Still, even the Puritans never outlawed drinking entirely.

1812. Though many temperance advocates merely sought to reduce consumption of alcohol, their goal eventually became total abstinence.

The temperance movement’s first great period of success occurred in the 1850s. In 1851, Maine became the first state to enact a prohibition law. It barred the manufacture, storage and sale of intoxicating liquors and imposed heavy penalties on violators, including imprisonment upon conviction for a third offense. By the end of 1855, 12 more states had passed similar laws.

But then the temperance movement hit a wall. After 1855, not another state was to adopt prohibition for a quarter-century. Reasons were not hard to find. During the late 1850s and all of the next decade, the country was preoccupied by slavery, secession and the Civil War. A series of unfavorable court decisions, declaring certain parts of state anti-liquor legislation unconstitutional, also slowed the temperance bandwagon. In addition, law enforcement problems in dry states persuaded many people that prohibition was inherently infeasible.

The ‘Noble Experiment’

The temperance movement responded to the problems not by folding its tent but by regrouping, often under the leadership of women. The Woman’s Christian Temperance Union (WCTU), the largest and most influential group of its kind, dates from Dec. 23, 1873, when Eliza Jane Thompson led 70 women on a march through Hillsboro, Ohio, urging tavern owners to close. Preaching, praying and singing about the evils of alcohol, Thompson’s group, originally known as the Woman’s Temperance Crusade, shuttered 150 bars during one 50-day campaign.



The Coors Brewing Co. and Anheuser-Busch Companies sponsor programs to prevent underage drinking, including the use of posters and print and broadcast ads.

Organized temperance groups emerged in the early 19th century, primarily in reaction against excessive drinking on the frontier and in cities. The earliest statewide group was the Massachusetts Society for the Suppression of Intemperance, founded in

The crusade reorganized in November 1874 under Frances E. Willard and became known as the WCTU. It was subsequently joined by the Anti-Saloon League, which formed in Ohio in 1893 and went national two years later as the Anti-Saloon League of America. Soliciting aid from Protestant evangelical churches, the league grew rapidly and came to regard itself as the “Church in Action Against the Saloon.” Working in tandem, the league and the WCTU transformed the temperance movement into a potent campaign for nationwide prohibition by the beginning of the 20th century.

One of the campaign’s most colorful figures was Carry Moore Nation, who came to national notice in 1900 when she began wrecking saloons in Kansas. Nation, then 54, said that God had directed her to do her work, typically performed with a hatchet. Although she gained wide notoriety, Nation was never embraced by the mainstream temperance groups. Nonetheless, historians credit her with helping to create a public mood conducive to the passage of a national prohibition law.

That goal was finally reached in 1919 with the ratification of the 18th Amendment to the Constitution.* It barred the “manufacture, sale, or transportation of intoxicating liquors” within the United States as well as all imports and exports of alcoholic beverages. The measure took effect a year later, on Jan. 16, 1920.

Even if the 18th Amendment had fallen short of ratification, most of the country still would have been dry. By January 1920, 19 states had written prohibition into their constitutions, while 14 others had enacted statutes outlawing traffic in alcohol. With the exception of Maryland, the 15 states

still “wet” when national prohibition took effect all subsequently passed enforcement laws of their own.

Despite the massive popular support Prohibition enjoyed at the outset, the “noble experiment”* soon ran into trouble. “Evasion of the law began almost immediately . . . and strenuous and sincere opposition to it — especially in the large cities of the North and East — quickly gathered force,” historian Frederick Lewis Allen wrote. “The results were the bootlegger, the speakeasy and a spirit of deliberate revolt which in many communities made drinking ‘the thing to do.’”¹⁰

Prohibition, Allen noted, also wrought significant changes in the way Americans regarded alcohol. These included “the increased popularity of distilled as against fermented liquors, the use of the hip-flask, the cocktail party and the general transformation of drinking from a masculine prerogative to one shared by both sexes together. The old-time saloon had been overwhelmingly masculine; the speakeasy usually catered to both men and women.” Prohibition formally ended when the states repealed the 18th Amendment in 1933.

Limiting Alcohol Ads

Post-mortems on Prohibition tend to dwell on the boost it provided to organized crime. But in an influential essay published in 1968, Ohio State University historian John C. Burnham argued that the national ban on alcohol helped improve Americans’ health. Death rates from liver cirrhosis fell from 29.5 per 100,000 men in 1911 to 10.7 in 1929, he wrote, while admissions to state mental hospitals for treat-

ment of alcoholic psychosis also declined markedly. In Burnham’s view, moreover, the “crime wave” linked to Prohibition was more a newspaper creation than a reality.¹¹

In any event, the re-legalization of alcoholic beverages occurred at the depth of the Great Depression. Consequently, repeal “was brought about as much by the need for [tax] revenue as by the desire to eradicate the evils that grew out of that social experiment,” a study of liquor control observed in 1936. The study added, “‘Turn the bootlegger’s profits into public revenues’ became a watchword.”¹²

Shortly before repeal became official, President Franklin D. Roosevelt had met with members of an interdepartmental committee to develop a federal plan for alcohol control under the terms of the National Industrial Recovery Act. They agreed to create a Federal Alcohol Control Administration (FACA) with authority to set production and price limits and to enforce fair trade practices, including advertising and labeling.

FACA, however, fell victim to a May 27, 1935, Supreme Court decision striking down the National Industrial Recovery Act as unconstitutional. Congress plugged the gap three months later by passing the Federal Alcohol Administration (FAA) Act, which incorporated FACA’s advertising and labeling provisions.

Under the 1935 law, the FAA was authorized to regulate the advertising of alcoholic beverages to prevent deception of consumers; provide adequate information on the identity and quality of the products advertised, their alcoholic content and the person responsible for the ad; prohibit language disparaging a competitor’s products or making false, misleading, obscene or indecent statements; and bar statements inconsistent with those on product labels.

For the brewing industry, restrictions on labeling and advertising only applied in states with similar laws on their books. This provision represented a compro-

Continued on p. 228

*The amendment ultimately was adopted by all states except Connecticut and Rhode Island. The total vote in the senates of the various states was 1,310 in favor (84.6 percent) and 237 against. In the lower houses of the states, the vote was 3,782 for prohibition (78.5 percent) and 1,035 against.

*During the 1928 presidential campaign, Republican nominee Herbert Hoover called Prohibition “a great social and economic experiment, noble in motive and far-reaching in purpose.”

Chronology

19th Century

In response to heavy drinking throughout society, a temperance movement emerges in the early 1800s.

1812

The Massachusetts Society for the Suppression of Intemperance is founded.

1851

Maine becomes the first state to enact a prohibition law. Twelve additional states approve similar legislation over the next five years.

1867

The Prohibition Party is founded for the purpose of outlawing alcoholic beverage production and consumption on a national scale.

1874

The Woman's Christian Temperance Union (WCTU) is established.

1895

The Anti-Saloon League of America is founded and soon assumes a leading role in the burgeoning national Prohibition movement.

1910s-1920s

In the aftermath of World War I, the American temperance movement records its greatest triumph.

Dec. 18, 1917

The 18th Amendment, outlawing the use of alcoholic beverages nationwide, is submitted to the states for ratification.

Jan. 16, 1920

The 18th Amendment takes effect. It prohibits the "manufacture, sale,

or transportation of intoxicating liquors within . . . the United States" as well as all imports and exports of such products.

1930s-1940s

Prohibition is repealed, but controls on the alcohol industry are established.

Nov. 26, 1933

President Franklin D. Roosevelt signs the Code of Fair Competition for the Distilled Spirits Industry, which establishes the Federal Alcohol Control Administration (FACA).

Dec. 5, 1933

Prohibition ends as the 21st Amendment is ratified, repealing the 18th Amendment.

May 27, 1935

The Supreme Court declares the National Industrial Recovery Act unconstitutional, thus casting doubt on the legitimacy of FACA.

Aug. 24, 1935

Congress approves (and President Roosevelt later signs) the Federal Alcohol Administration (FAA) Act, which incorporates FACA's advertising and labeling provisions.

1936

The Distilled Spirits Institute adopts a voluntary ban on radio advertising. In 1948, the ad ban is amended to include television.

1980s-1990s

Congress and the courts become more deeply involved in the debate on alcoholic beverage advertising.

1988

President Ronald Reagan signs a bill into law that requires all alcoholic beverage containers to carry health warnings.

1993

Sen. Strom Thurmond, R-S.C., and Rep. Joseph P. Kennedy II, D-Mass., introduce bills requiring that all advertising for alcoholic beverages carry one of seven health warnings on a rotating basis. The legislation fails to reach the floor of either chamber of Congress.

May 13, 1996

Ruling in the case of *44 Liquor-mart v. Rhode Island*, the Supreme Court strikes down a 40-year-old state law that prohibits liquor retailers from citing liquor prices in their advertisements.

June 1996

Seagram America Co. begins running commercials for its Crown Royal brand of whiskey on KRIS-TV, an NBC affiliate in Corpus Christi, Texas.

Nov. 7, 1996

The Distilled Spirits Council of the United States (DISCUS), successor to the Distilled Spirits Institute, ends its decades-old ban on broadcast advertising.

Nov. 13, 1996

A federal appeals court in Baltimore upholds the constitutionality of the city's ordinance banning outdoor display advertising of alcoholic beverages near schools and playgrounds.

March 6, 1997

The Center for Media Education releases a report outlining efforts by alcohol and tobacco companies to market their products to youth via the Internet.

Continued from p. 226

mise between House and Senate supporters of the FAA Act. Brewers had lobbied hard to be completely excluded from the law, contending that beer was a “non-intoxicating” beverage.

Taking the initiative, the alcoholic beverage industry decided to adopt voluntary advertising and marketing codes with a view to winning popular approval and forestalling stricter federal regulation. The Distilled Spirits Institute (forerunner of DISCUS) led the way in 1936 by banning all liquor advertising on radio, a policy extended to television after World War II. The code also discouraged ads on the comic pages and in school, college or religious publications and ads featuring women or children.

The beer and wine industry advertising codes, formulated somewhat later, were broadly similar in purpose and approach. For example, beer advertisements were “not to encourage overindulgence, depict scenes of drunkenness or loss of control, or associate beer drinking with activities and situations that require a high degree of alertness.” Taverns, moreover, “should not be depicted as unkempt, but rather as well-kept neighborhood gathering places.”¹³

Wine industry guidelines urge advertisers to portray the product as an appropriate mealtime beverage. At the same time, though, the code advises vintners to avoid suggesting that wine contributes to personal success or achievement. It also frowns upon the use of rock stars, past or present sports celebrities and models who appear under age 25.

In some respects, the alcohol industry advertising codes go further than federal regulations. But consumer advocacy groups note that “good taste” in advertising is subject to wide interpretation and that the voluntary codes lack enforcement mechanisms.

As a result, there have been repeated efforts over the years to ban or curb national (as opposed to local) advertising of alcoholic beverages. The arguments supporting such action have

become familiar through repetition.

“The deceptive glamour of alcoholic beverages is vastly intensified by the extremes to which their advertising now goes,” Samuel McCrea Cavert, general secretary of the Federal Council of the Churches of Christ in America, testified in 1950 at congressional hearings on a federal ban on alcohol ads. “Unlike most advertising, it is less directed to showing the consumer the merits of a certain brand, as compared with others, than to building good will among those who are not yet consumers. More particularly, and most dangerously, it exerts a constant and powerful pressure upon each new generation of youth to acquire habits of drinking.”¹⁴

Subsequent campaigns to ban or restrict beer and wine commercials on television and radio featured similar arguments. The anti-alcohol initiatives have produced few results, however. In November 1983, for example, a CSPI-led coalition of 28 consumer, women’s, health, religious and other organizations petitioned the FTC for a ban on beer and wine commercials or, failing that, a requirement that such ads be balanced by public service announcements warning of the risks of excessive drinking. The petition also asked the FTC to require alcohol advertisements in magazines and newspapers to contain health warnings and to prohibit beer companies from sponsoring rock music concerts and beer-tasting parties on college campuses.

The commission rejected the coalition’s requests for tighter ad controls and for an industrywide probe of alcohol marketing practices.

Project SMART

In response, the coalition targeted Congress with its 1985 campaign Project SMART (Stop Marketing Alcohol on Radio and Television). The coalition argued that alcohol commercials, by featuring former athletes and other ce-

lebrities, encouraged excessive drinking by young people and others without cautioning potential purchasers that alcohol can impair health.

Though Project SMART’s goal was a complete ban on alcohol ads, supporters indicated they would be satisfied with a law requiring broadcasters to air public service announcements warning of the dangers of excessive drinking as a condition for running beer and wine commercials. Observers noted that when Congress banned cigarette commercials beginning in 1971, tobacco companies almost welcomed the move because of existing “counter-advertising” requirements that filled the airwaves with graphic messages that cigarettes cause cancer.

To counter Project SMART, broadcasting and alcohol industry officials claimed that an advertising ban would do little to curb abusive drinking. Moreover, they said, they already funded public service announcements and other educational programs to discourage excessive alcohol consumption.

Professional and college sports leagues also have a vested interest in televised alcohol ads. That’s because the networks pay millions of dollars a year for the right to televise college and pro football, baseball, basketball and hockey games as well as major events such as the Olympics and the Masters golf tournament. In turn, the networks earn millions from alcoholic beverage companies, which account for an estimated 20 percent of all advertising shown during sports telecasts. It follows that restrictions on beer and wine revenue could force the networks to scale back their sports coverage.

But opponents of Project SMART insisted that money was not the only reason for their stance. They argued, in addition, that the First Amendment right of free speech protects beer and wine advertising. And they heatedly denied the existence of any scientific link between advertising and alcohol abuse. (The FTC made the same point in rejecting the CSPI coalition’s peti-

tion.) Though Project SMART received extensive media coverage, it produced no legislation. ■

CURRENT SITUATION

Action in Congress

The campaign for stricter regulation of alcohol advertising now centers on the proposed Sensible Advertising and Family Education (SAFE) Act, first introduced in 1993 by Sen. Strom Thurmond, R-S.C., and Rep. Joseph P. Kennedy II, D-Mass. The legislation would have required all advertising for alcoholic beverages to include one of seven health warnings on a rotating basis. The Health and Human Services Department, moreover, would have had to maintain toll-free telephone numbers cited in some of the warnings, which would caution against underage drinking, drunken driving and drinking while pregnant, among other topics.

"We need these messages — especially for our underage drinkers," Kennedy said in introducing the SAFE bill in 1993. "By the time most American children reach the age of 18, they will have seen tens of thousands of alcohol ads bombarding them with misinformation about how beer or wine will make them fit in with their peers, get that new job or meet that special someone. Things have got to change — and we know the alcohol industry isn't going to change voluntarily."

Thurmond has advocated alcohol health warnings for years, pushing a bill through Congress in 1988 to require a health warning from the U.S. surgeon general on all alcoholic beverage containers.* His crusade became

more personal in April 1993, when his 22-year-old daughter was killed by a drunken driver just weeks after he introduced his version of the SAFE Act. Neither the Thurmond bill nor the Kennedy bill was reported out of committee during 1993 or 1994.

Kennedy introduced an expanded version of the SAFE Act in May 1996. In addition to the health warning and toll-free-number provisions, it would institute drug- and alcohol-prevention programs in universities, curtail alcohol advertising to children and on college campuses, ban most alcohol ads on TV from 7 a.m. to 10 p.m. and eliminate the tax deductibility of alcohol ads and promotions. The bill languished in committee in 1996, though it is expected to be reintroduced this year.

Court Decisions

Federal courts also have been drawn into the alcohol advertising controversy. On May 13, 1996, for example, the Supreme Court unanimously struck down a 1956 Rhode Island law that prohibited liquor retailers from including liquor prices in their advertisements. The state had argued that banning price advertising kept liquor prices high by preventing increased competition among retailers. The state further contended that higher liquor prices served a valid public interest — discouraging alcohol consumption.

However, the court unanimously rejected that reasoning, declaring that the ban amounted to "an abridgement of speech protected by the First Amendment." That amendment, the

court continued, "directs us to be especially skeptical of regulations that seek to keep people in the dark for what the government perceives to be their own good."¹⁵

The court said it could agree with Rhode Island's argument "that demand, and hence consumption throughout the market, is somewhat lower whenever a high, non-competitive price level prevails." But it went on to state that, "without any findings of fact, or indeed any evidentiary support whatsoever, we cannot agree with the assertion that the price advertising ban will significantly advance the state's interest in promoting temperance." By the same token, "any conclusion that elimination of the ban would significantly increase alcohol consumption would require us to engage in the sort of 'speculation or conjecture' that is an unacceptable means of demonstrating that a restriction on commercial speech directly advances the state's asserted interest."

In any event, said the court, "It is perfectly obvious that alternative forms of regulation that would not involve any restriction on speech would be more likely to achieve the state's goal of promoting temperance." It cited increased taxes, per capita limits on liquor purchases and educational campaigns on the hazards of drinking as possibilities. Rhode Island, in sum, had "failed to establish a 'reasonable fit' between its abridgement of speech and its temperance goal."

The *44 Liquormart* ruling was followed within a month by Seagram's decision to break with the liquor industry's longstanding voluntary ban on advertising distilled spirits on radio and television. At the same time, tobacco and advertising industry officials hailed the ruling as a potential boost to their campaign against proposed federal curbs on cigarette advertising. Wally Snyder, president and CEO of the American Advertising Federation, said on May 13 that "Alcohol is also a product that is off-

*The message states: "GOVERNMENT WARNING: (1) According to the Surgeon General, women should not drink alcoholic beverages during pregnancy because of the risk of birth defects. (2) Consumption of alcoholic beverages impairs your ability to drive a car or operate machinery, and may cause health problems."

Combating Alcohol Abuse by Young Drinkers . . .

When it comes to combating alcohol abuse, major concern focuses on young drinkers. Teenagers are thought to be more susceptible than adults to alcoholic beverage advertising, especially on radio and television. And there is increasing concern about alcohol ads on the Internet being targeted at youths (*see p. 232*). Moreover, statistics indicate that young people are at high risk of becoming involved in alcohol-related traffic accidents.

A surge in drunken driving by teenagers led Congress in 1984 to approve legislation prodding states to raise the minimum drinking age to 21. The law penalized states that permitted drinking under age 21 by withholding a portion of their federal highway funds. Though conservatives denounced the measure as infringing on states' rights and discriminating on the basis of age, every state fell into line by 1988.¹

Statistics suggest the law has been effective. According to figures released in December by the Centers for Disease Control and Prevention (CDC) in Atlanta, fatal auto crashes involving teenage drivers fell by 24 percent in the past eight years. But the CDC said crashes still were the leading cause of death for youths between ages 15 and 20.

Two months earlier, Mothers Against Drunk Driving (MADD) had announced that it was focusing its programs more narrowly on drinking by teenagers. Alarmed by data showing high school students drinking more and at younger ages, MADD said it planned to urge states to reduce alcohol advertising that targets young consumers and impose more restrictions on licenses issued to drivers under 21, such as barring newly licensed drivers from driving after midnight.

MADD was among the groups that pressed for the 1984 minimum drinking age law. It also campaigned successfully for the 1995 "zero tolerance" amendment to the statute, which made it illegal for under-21 drivers to have any measurable alcohol in their blood.

Are the efforts having any success? The latest annual survey in the University of Michigan's ongoing Monitoring the Future Study cited data on youth drinking that was both reassuring and discouraging, depending on one's point of view. "Alcohol use among American secondary students [in the 8th, 10th and 12th grades] has remained fairly stable in the past few years, though at rates which most adults would probably consider unacceptably high," the university said. "This remains true in 1996. The measures of self-reported drunkenness and occasions of having five or more drinks in a row during the prior two weeks, however, have inched up by 2 to 4 percentage points at all three grade levels in recent years."²

Hundreds of high schools around the country have instituted alcohol testing in an effort to curb student drinking. Since autumn 1995, for example, Piedmont (Calif.) High School has required students attending school dances to undergo breath testing. A similar program that began recently in Arlington, Texas, goes further. If students headed for the senior prom flunk the Breathalyzer test, their parents will be called to take them home. Moreover, the students will be transferred to an alternative school and banned from extracurricular activities for the remainder of the school year and from graduation ceremonies.³

Colleges also have taken steps to curtail student drinking.

limits to teenagers. . . . This decision transfers the focus back to speech and the First Amendment and away from the product."¹⁶

White House spokesman Michael D. McCurry said the same day that Clinton administration hopes to use the FDA to restrict tobacco ads targeting minors were not likely to be affected by *44 Liquormart*. He said the proposals were not as sweeping as the Rhode Island advertising ban because they concerned tobacco advertising aimed specifically at minors, who may not legally purchase cigarettes.¹⁷

Baltimore Judge Acts to Protect Children

On Nov. 13, exactly six months after the *44 Liquormart* ruling, the

U.S. Court of Appeals in Baltimore upheld the constitutionality of a local ordinance restricting stationary, outdoor advertising of alcoholic beverages in certain parts of the city. The ordinance was designed to promote the welfare and temperance of minors by banning alcohol ads within view of children going to or from neighborhood schools or playgrounds.

In upholding the Baltimore measure, Judge Paul V. Niemeyer noted how it differed from the state law at issue in *44 Liquormart*. "Baltimore's ordinance expressly targets persons who cannot be legal users of alcoholic beverages, not legal users as in Rhode Island," he declared. "More significantly, Baltimore does not ban outdoor advertising of alcoholic beverages

outright but merely restricts the time, place and manner of such ads. And Baltimore does not foreclose the plethora of newspaper, magazine, radio, television, direct mail, Internet and other media."¹⁸

Niemeyer pointed to another difference between the two cases. "In contrast to Rhode Island's desire to enforce adult temperance. . . . Baltimore's interest is to protect children who are not yet independently able to assess the value of the message presented. This decision thus conforms to the Supreme Court's repeated recognition that children deserve special solicitude in the First Amendment balance because they lack the ability to assess and analyze fully the information presented through commercial media."

... Draws Efforts by MADD and Other Groups

Last August, for example, the University of California-Los Angeles suspended the Zeta Beta Tau fraternity for the fall quarter because members had violated campus alcohol policies by serving underage youths at a party where three fraternity members were accused of sexually assaulting a sorority woman. The previous February, Virginia's Radford University suspended two fraternities after a female student was found dead of alcohol poisoning in her dormitory room the day after she attended the fraternities' keg parties.

Some campus officials are especially disturbed that alcohol abuse seems to be significantly higher among athletes. That was the main finding of a study released last year by the Harvard School of Public Health. Among the students involved in athletics, 61 percent of the male respondents and 50 percent of the female respondents said they had engaged in "binge drinking" in the previous two weeks. The corresponding figures for non-athletes were 43 percent and 36 percent, respectively.⁴

George W. Dowdall, a professor of sociology at St. Joseph's University in Philadelphia and an author of the Harvard study, said sports-linked factors may be responsible for the higher levels of alcohol abuse among college athletes. "Many of the student athletes I've taught over the years feel they are under a great deal of pressure," he said. "It is almost like they have two full-time jobs."⁵

Some colleges have dealt with the substance-abuse issue by establishing dormitories where alcohol, drug and tobacco use are strictly forbidden. "Students want a clean environment around them, not just a clean lifestyle for themselves," said Karla Shepherd, coordinator of programs and orientation at the University of Maryland, which operates a substance-free

program. "In the morning, they don't want to look in the sink and find the results of someone's drinking too much the night before."⁶ Last year, about 1,000 of the school's 8,000 on-campus residents opted for the special dorms.

However, some campus officials are ready to throw in the towel. Roderic Park, chancellor of the University of Colorado-Boulder, calls current drinking laws "an enormous hypocrisy." He favors amending the law to permit youths 18, 19 and 20 to drink alcohol in bars and restaurants provided they have successfully completed a short course on the risks and responsibilities of drinking.

In Park's view, "Prohibition doesn't work. Teenage drinking is as common now as it's always been." He added, "I'm approaching this from a risk-management point of view, not a prohibitionist point of view."⁷

¹ For background, see "Highway Safety," *The CQ Researcher*, July 14, 1995, pp. 609-632.

² University of Michigan news release, Dec. 19, 1996.

³ Mark Potok, "Texas City to Give Students Pre-Prom Breath Tests," *USA Today*, Feb. 10, 1997, p. 3A.

⁴ Henry Wechsler, et al, "Binge Drinking, Tobacco and Illicit Drug Use and Involvement in College Athletes: A Survey of Students at 140 American Colleges," *Journal of American College Health* (in press). The study was based on a survey conducted in 1993 that covered 17,251 students at 140 colleges and universities.

⁵ Quoted by Jim Naughton, "Alcohol Abuse by Athletes Poses Big Problems for Colleges," *The Chronicle of Higher Education*, Sept. 20, 1996, p. A47.

⁶ Fern Shen, "These Dorms a Study in Sobriety," *The Washington Post*, September 3, 1996, p. A1.

⁷ Quoted by Ben Gose, "A License to Drink," *The Chronicle of Higher Education*, May 31, 1996, p. A29.

Regulatory Agencies

Concern for children's welfare also was the stated reason for an FTC investigation that came to light in late November. According to *The Wall Street Journal*, the regulatory agency is studying the TV liquor ads launched by Seagram last June as well as a Stroh Brewery Co. campaign for Schlitz malt liquor. At issue are the content of the commercials as well as the time slots in which they ran. If the FTC concludes that the companies were deliberately targeting younger viewers, it could try to take the commercials off the air.¹⁹

At the FCC, Chairman Hundt, who is eager to probe broadcast liquor adver-

tising, may soon find himself with less commission support for such a move. Up to four of the commission's five seats could become vacant this year.²⁰

Meanwhile, Hundt received a letter last Nov. 19 from 26 members of Congress seeking FCC involvement in alcohol advertising. "We believe cable and broadcast advertising of hard liquor is detrimental to our children and the public interest," they wrote. "Therefore, we urge you to issue a notice of inquiry to gather data and information on the effects of distilled spirits advertisements on our nation's youth, and to explore avenues of possible commission action."

But DISCUS' Meister strongly opposes FCC involvement. "One individual in Washington has knighted himself as the

savior on the issue of alcohol advertising — and that's Chairman Hundt," Meister says. "He does not have any authority on the issue. The FTC has the authority. Committee chairman have publicly said this to Mr. Hundt. But in fact he keeps threatening the stations that if they run our ads, he will be very upset. And since he is the person who holds the license of the broadcasters, he's had a very chilling effect on their ability and their desire, in many instances, to run our ads. Somebody has to rein Mr. Hundt in."

Despite the uncertain regulatory climate, some broadcasters and cable operators have followed KRIS in Corpus Christi and broken with tradition by accepting liquor ads. At least 25 independently owned TV stations across the country have done so,

according to *Broadcasting & Cable* magazine. The Black Entertainment Television (BET) cable network also agreed to take the ads, while Continental Cablevision and Cox Cable Communications said they will allow their regional operating units “discretion” to make their own decisions on the basis of guidelines supplied by the parent company. ²¹ (See story, p. 221.)

“Liquor is a legal product, and one that is no [more] damaging to society than wine or beer,” said Robert L. Johnson, BET’s chief executive. “For some reason, there’s been this historical attitude toward demon rum. It’s something people frown on. But I see no reason why liquor ads, during the right time slots, aren’t appropriate for television.” ²²

Indeed, advertising executives view cable TV as prime marketing territory for liquor producers. “I think we’ll see more and more of it [liquor advertising] in cable because it gives you more of an opportunity to do narrow targeting,” said Donny Deutsch, chief executive of the New York ad agency Deutsch Inc. “Responsible targeted television makes a lot of sense.” ²³

On the other hand, the nation’s leading beer advertiser had second thoughts about placing commercials on a youth-oriented cable network. Anheuser-Busch, the maker of Budweiser and Michelob, in December pulled its ads from MTV. The company said it was moving the spots to MTV’s sister network, VH1, which draws a somewhat older group of viewers. Anheuser-Busch’s move

amounted to “head ’em off at the pass self-censorship,” said beverage industry consultant Tom Pirko. ²⁴ ■

OUTLOOK

Voluntary Curbs?

Decades of experience suggest that current efforts to tighten federal

Indeed, supporters of new curbs on liquor commercials have even run into difficulty scheduling a hearing in the current session of Congress. The Senate Commerce Committee shelved a hearing originally planned for Feb. 25, reportedly because of disagreement on whether to focus mainly on liquor ads or to cover beer and wine commercials as well.

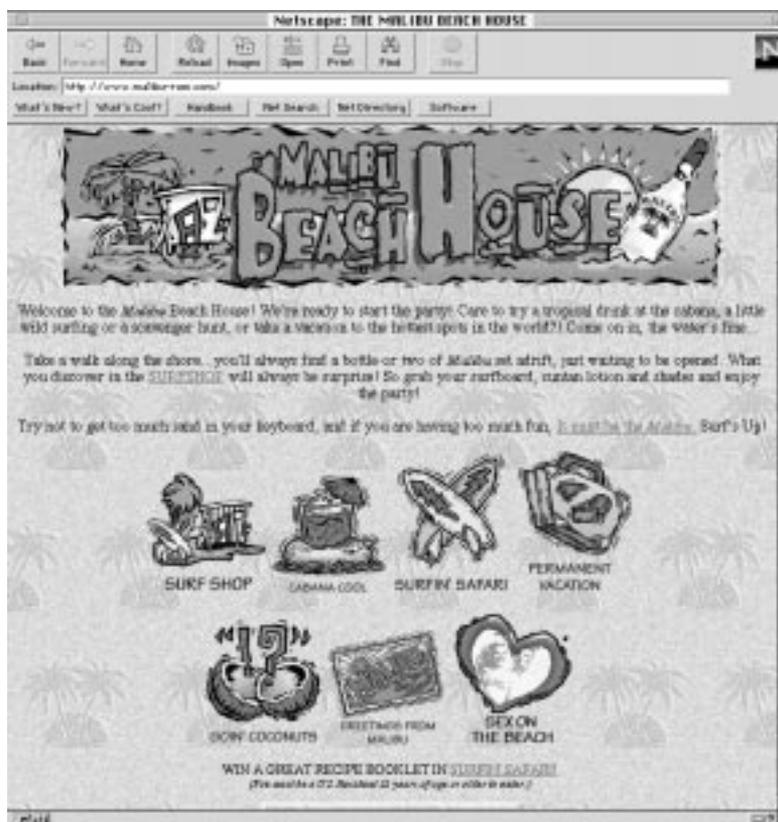
Nonetheless, CSPI’s Hacker says he’s “not discouraged” because, ultimately, “there’ll be some changes.” He foresees “voluntary retrenchment” on the industry’s part, “just to avoid the

potential for further legislative action. We may not be able to keep liquor advertising off the air, though I don’t look for it to spread like wildfire, either. We’ll see the development of a voluntary agreement that sets a more level playing field for beer, wine and liquor advertising. And that may mean that the beer industry will have to give up” some market share.

Proponents of alcohol advertising curbs have learned not to expect quick or easy victories, Hacker says. “We do have health warnings on alcoholic beverage containers now; that was one small step forward 10 years ago. And how many years did we wait for real progress on cigarettes? It took a very long time to move against a product that is not nearly as ambigu-

ous or as longstanding — or as attractive — as alcohol. Alcohol is a much more complicated issue than tobacco. So these battles on alcohol advertising

Continued on p. 234



A study by the Center for Media Education released March 6 reported that 14 liquor companies and 10 large breweries have corporate World Wide Web sites, such as this one for Malibu rum, that use marketing techniques attractive to youths, including sports scores, interactive games and chat rooms.

curbs on broadcast alcohol ads may not go far. Numerous hearings on proposed regulations have been held over the years, but few of the bills were even reported out of committee.

At Issue:

Should liquor commercials be banned from television?

JOHN LEO

Columnist, U.S. News & World Report

FROM "SCOTCH THE ADS? ABSOLUT-LY," U.S. NEWS & WORLD REPORT, DEC. 9, 1996.

It could be a put-on, but *Adweek* magazine says liquor ads on television may be good for society. The magazine noted that the first booze ad shown on American TV in nearly 50 years celebrated fundamental American values. It was a Seagram commercial, placed on a station in Corpus Christi, Texas, and it featured two dogs.

One dog, labeled "obedience school graduate," carried a newspaper in its mouth. The other, carrying a bottle of Crown Royal, was labeled "valedictorian." *Adweek* said this positioned liquor as a reward for achievement and delayed gratification in a world sadly governed by instant gratification. Liquor flourished in the pre-'60s culture of self-restraint, said *Adweek*, and the impact of televised liquor ads "could well be salutary."

Maybe. But it's possible to doubt that the rapid spread of self-restraint is what the distillers have in mind. The more likely long-term result is a set of psychologically clever ads aimed at young people and resulting in another upward tick or two each year in the death rate from drunk driving. . . .

Among the egregious magazine ads for liquor, my favorite is the Bacardi Black "Taste of the night" campaign with its unmistakable theme of night and liquor as the liberators of the real you (and your darker side) from the bonds of civilized society. Just what we need in this troubled culture — more promotion of everyone's darker side. . . .

In dropping their self-imposed ban on TV ads, the distillers said they wouldn't target the young. We should be dubious. The liquor executives fear they won't be able to sell their brown drinks anymore — bourbon, Scotch and brandy have not caught on among boomers or post-boomers. The trend is toward white drinks — vodka and gin — and sweet-tasting or healthy-looking drinks that disguise alcoholic content. . . .

The distillers' argument about beer ads has more merit. They say a can of beer has about as much alcohol as a mixed drink, so either ban beer from TV or let liquor ads on. In fact, some conspiracy theorists think the distillers' real goal is to drive beer off TV. That's extremely unlikely. Beer is so entrenched in TV economies that it's hard to imagine the sort of social upheaval necessary to drive it away.

But if beer and liquor ads are going to be on TV, the ads should be regulated in the public interest. Alcohol is really a drug, and we have a long history of regulating drug ads to protect the public. The makers of Rogaine and Prozac aren't permitted to say whatever they wish in ads. Why should the good-tasting narcotics be exempted?

MORRIS E. CHAFETZ

President, Health Education Foundation, and author of *The Tyranny of Experts*

FROM "FACTS ABOUT KIDS, BOOZE AND TV," CHICAGO TRIBUNE, DEC. 23, 1996.

Critics are raising the specter that television liquor advertising will increase alcohol abuse and underage drinking. If I believed that banning these ads from TV would keep a bottle out of the hands of a child or a person with an alcohol-abuse problem, I would lead the charge against lifting the moratorium.

Instead, I find myself asking an important question: Where in the name of science is there any proof? If alcohol ads will end society as we know it, shouldn't there be some science to say it's so?

I come to this issue as a psychiatrist and a scientist, nothing more. It's not my business whether manufacturers of distilled spirits should or should not advertise on TV. That is — quite literally — their business, something more appropriate for an MBA than an M.D. to decide. What I can say is that opponents of TV advertising for distilled spirits (or any other alcohol beverage for that matter) assert a connection between ads and the altering of behavior that, scientifically speaking, just isn't there.

As I've written in *The New England Journal of Medicine*, there is not a single study . . . that credibly connects advertising with an increase in alcohol use or abuse. . . .

The hypocrisy concerning advertising is reflected in a recent newspaper editorial against liquor ads in the name of protecting the health of youngsters. So far as I know, no newspaper is ready to forgo liquor ads and the revenue liquor advertisements bring. Members of the print media rationalize their hypocrisy by calling television "the medium most likely to reach most members of potential underage drinking." The old adage that it's easy to give advice one does not have to take operates here. . . .

The public ought to stop worrying about the power of ads and focus on the power of prohibition: the unintended consequence of demonizing a product or behavior. Never underestimate the seductive power of a "Thou Shalt Not."

The natural impulse to go against the grain is a reality of adolescent life. Forbidden fruit is an old story, but it's one with enduring power. I ponder the question countless times: Are anti-drinking advocacy groups — unintentionally or not — the most effective marketers for underage drinking?

As we debate the issues of advertising distilled spirits on TV, let's do it with open eyes. We need to respect young people more than we now do. They will take their risks as we did when we were adolescents. Ignorance does not lead to abstinence.

FOR MORE INFORMATION

Beer Institute, 1225 Eye St. N.W., Suite 825, Washington, D.C. 20005; (202) 737-2337. The institute monitors legislation and regulations on behalf of domestic and international brewers and their suppliers.

Center for Media Education, 1511 K St. N.W., Suite 518, Washington, D.C. 20002; (202) 628-2620. The center is a nonpartisan research and educational organization that studies media coverage of social and political issues.

Center for Science in the Public Interest, 1875 Connecticut Ave. N.W., Suite 300, Washington, D.C. 20009; (202) 332-9110. CSPI's alcohol policies project focuses on the marketing, labeling and taxation of alcoholic beverages.

Distilled Spirits Council of the United States, 1250 Eye St. N.W., Suite 900, Washington, D.C. 20005-3998; (202) 628-3544. DISCUS represents producers and marketers of distilled spirits sold in the United States.

National Council on Alcoholism and Drug Dependence, 12 West 21st St., New York, N.Y. 10010; (212) 206-6770. The center works for the prevention and control of alcoholism through programs of public and professional education, medical and scientific information and public policy advocacy.

National Woman's Christian Temperance Union, 1730 Chicago Ave., Evanston, Ill. 60201, (847) 864-1396. The WCTU is the nation's oldest group advocating complete abstinence from alcohol.

Wine Institute, 425 Market St., Suite 1000, San Francisco, Calif. 94105; (415) 512-0151. The institute supports public policies promoting the responsible consumption of wine.

will, I think, continue for a long time.”

Some observers suspect that DISCUS revised its longstanding broadcast ad policy to restore the liquor industry's sagging economic fortunes. In 1980, distilled spirits consumption in the United States totaled 190,903 cases. In 1995, the most recent year for which complete data are available, the number had fallen to only 137,810 cases. Moreover, the industry projects a further decline to 125,450 cases by the year 2000.

Hacker believes liquor producers will find it hard to stage a comeback because liquor costs considerably more than beer and most table wines. In addition, he says, “Beer, you can buy almost anywhere. Liquor, in most states, you can only buy in liquor stores.”

The Beer Institute's DeCelle feels that the alcohol industry as a whole is moving into an era whose outlines still are unclear. Until fairly recently, he says, “a rough sense of balance

existed among the lawmakers and the agencies and the industry. Periodically, Congress reviewed the industry, and the FTC reviewed advertising. Before the distillers decided to go on TV, we were in a state of relative equilibrium. If problems arose, the agencies mentioned them — and most of the time, the problems were very quickly remedied.”

In DeCelle's opinion, broadcasters hold the key to the future. “It will be influenced heavily by the way television — both the broadcast and cable networks — responds to the spirits industry's initiative.”

More Internet Ads?

Some media commentators see the Internet as a promising new advertising and marketing tool for the alco-

hol industry. The Beer Institute's Becker disagrees, at least for now. “It's hard for people who have lives and jobs and families to spend an awful lot of time on the Internet,” he says. “So I'm not sure the Internet is going to provide all the vast marketing opportunities that some folks thought it might.”

A report issued March 6 by the Center for Media Education (CME), however, called attention to the “growing commercial presence” on the World Wide Web of advertising and other promotional material for alcohol. “The Internet will supplant TV and become more powerful than TV has ever been” as a tool for marketing alcohol and tobacco, CME President Kathryn C. Montgomery told a press conference.²⁵

CME “found 14 liquor companies and 10 large breweries with corporate Web sites that use techniques attractive to youth.”²⁶ These techniques include up-to-the-minute sports scores, interactive games and contests, chat rooms and bulletin boards, online magazines and recipes for “bridge drinks,” or sweetened concoctions that are likely to appeal to novice drinkers.

“The combination of these new Web marketing technologies gives marketers of alcohol . . . an arsenal of powerful new weapons,” the CME report said. “Urgent action is needed to ensure that effective safeguards are put in place to protect young people.” Among other things, the report called for congressional hearings and an FTC investigation of possible deceptive advertising practices.

In response to the CME report, Elizabeth Board, public issues director of DISCUS, notes that the organization has a code of good practice for advertising and all forms of marketing, including the Web. “The major tenet of the code is to avoid targeting advertising to individuals below the legal purchase age. And I believe that all of these [liquor] Web sites are absolutely in concert with our code.”

Besides, Board adds, “Adults who

like the Web like games and interactive elements, too. So a Web site with such features is not inherently appealing just to young people." And, she adds with a laugh, "I just came back from the islands with a group of 45-to-50-year-olds. We drank a lot of sweet drinks. Sweet drinks have been around forever."

DeCelle, meanwhile, discerns great growth potential in a recently developed system for purchasing alcoholic beverages either electronically or by the traditional mail-order method. The system's central feature is sophisticated bar-coding that contains much more information than the product codes used in supermarkets. The additional data capacity enables all coding to be customized, permitting the shipper to sort and track orders and minimize the chance of misdelivery.

Though limited at present to wine and spirits, the technology could easily accommodate beer, DeCelle says.

Such marketing possibilities leave Ward of the WCTU apprehensive. "I'm not a prophet, so it's hard for me to say what the future holds," she says. "But in my ideal world, each individual would make the very best choices for themselves and for society in general. If that happened, we in the WCTU believe that Prohibition would return — not by law, but by individuals making wise decisions. Well, we can always dream of Utopia." ■

Notes

¹ DISCUS news release, Nov. 7, 1996.

² NAB news release, Nov. 7, 1996.

³ For background, see "Underage Drinking," *The CQ Researcher*, March 13, 1992, pp. 217-240.

⁴ Coors Brewing Co., "Does Advertising Cause Abuse?" (1993 company brochure).

⁵ Quoted in "Youths Aren't Buying the Cute and Flashy Beer Images," *USA Today*, Jan. 31, 1997, p. 4B.

⁶ Joseph C. Fisher, *Advertising, Alcohol Consumption and Abuse: A Worldwide Survey* (1993), p. 150.

⁷ Morris E. Chafetz, "Facts About Kids, Booze and TV," *Chicago Tribune*, Dec. 23, 1996, p. 17.

⁸ David F. Musto, "Alcohol in American History," *Scientific American*, April 1996, p. 78.

⁹ Paul Aaron and David F. Musto, "Temperance and Prohibition in America: A Historical Overview," in Mark H. Moore and Dean R. Gerstein, eds., *Alcohol and Public Policy: Beyond the Shadow of Prohibition* (1981), p. 131.

¹⁰ Frederick Lewis Allen, *Only Yesterday: An Informal History of the 1920s* (1964), p. 82.

¹¹ John C. Burnham, "New Perspectives on the Prohibition 'Experiment' of the 1920s," in *Burnham, Paths Into American Culture* (1988), pp. 175-176.

¹² L.V. Harrison and E. Laine, *After Repeal: A Study of Liquor Control Administration* (1936), p. 73.

¹³ Robert Gerald Laforge, *Misplaced Priorities: A History of Federal Alcohol Regulation and Public Health Policy* (1987), p. 278.

¹⁴ Testimony before Senate Commerce Committee, Jan. 13, 1950.

¹⁵ The case was *44 Liquormart Inc. and*

Peoples Super Liquor Stores Inc. v. Rhode Island and Rhode Island Liquor Stores Association.

¹⁶ Quoted in *Facts on File*, May 16, 1996, p. 339.

¹⁷ For background, see "Advertising Under Attack," *The CQ Researcher*, Sept. 13, 1991, pp. 657-680, "Regulating Tobacco," *The CQ Researcher*, Sept. 30, 1994, pp. 841-864 and "Teens and Tobacco," *The CQ Researcher*, Dec. 1, 1995, pp. 1065-1083.

¹⁸ *Anbeuser-Bush Inc. v. Schmoke*.

¹⁹ *The Wall Street Journal*, Nov. 27, 1996, p. A3. FTC spokeswoman Vicki Streitfeld would neither confirm nor deny that an investigation is taking place.

²⁰ Chris McConnell, "New Faces Head for FCC," *Broadcasting & Cable*, Nov. 4, 1996, p. 7.

²¹ Chris McConnell and Heather Fleming, "Spirited Debate Over Liquor," *Broadcasting & Cable*, Nov. 25, 1996, p. 8.

²² Quoted in *The Washington Post*, Nov. 9, 1996, p. H1.

²³ Quoted in *The Wall Street Journal*, June 12, 1996, p. B5.

²⁴ Quoted in *USA Today*, Dec. 24, 1996, p. 1A.

²⁵ See "On the Web, This Bud's for Your Children," *The New York Times*, March 7, 1997, p. A1.

²⁶ Center for Media Education, "Alcohol and Tobacco on the Web: New Threats to Youth," March 1997, p. 13. The center is a national, nonprofit organization "dedicated to improving the quality of the electronic media." The CME report also "identified 11 distilled spirits companies with Web sites [that] do not appear to target youth [but] appeal to people interested in a particular brand or type of alcoholic beverage and focus on information about the product, such as microbreweries and wineries."

Bibliography

Selected Sources Used

Books

Aerts, Erik, et al., eds., *Production, Marketing and Consumption of Alcoholic Beverages Since the Late Middle Ages*, Leuven University Press, 1990.

Wide-ranging in both time and geography, this collection of studies looks at the rum trade in 19th-century Venezuela, the global brandy trade from 1600 to 1760, the export marketing of Scotch whiskey from 1870 to 1939 and much more.

Fisher, Joseph C., *Advertising, Alcohol Consumption, and Abuse: A Worldwide Survey*, Greenwood Press, 1993.

Fisher, an advertising agency executive, is often cited by alcohol industry representatives. He writes that "Advertising appears to have a very weak positive influence on consumption and no impact on experimentation with alcohol or abuse of it."

Harris, Moira F., *The Paws of Refreshment: The Story of Hamm's Beer Advertising*, Pogo Press, 1990.

The cutesy title refers to the cartoon bear that was the advertising symbol of Hamm's Beer, the brewing pride of St. Paul, Minn. ("Land of the sky-blue waters," according to Hamm's). The illustrations of old-time Hamm's newspaper ads make one yearn for a past that most living Americans never experienced.

Laforge, Robert Gerald, *Misplaced Priorities: A History of Federal Alcohol Regulation and Public Health Policy*, University Microfilms International, 1987.

In this doctoral dissertation for Johns Hopkins University, Laforge surveys key developments in federal regulation of alcohol, most of which date from the onset of nationwide Prohibition in 1920.

Articles

Musto, David F., "Alcohol in American History," *Scientific American*, April 1996.

Musto, a professor of child psychiatry and the history of medicine at Yale University, reviews the swings between binges and abstinence that have been an enduring feature of the history of U.S. alcohol consumption. "Those who oppose alcohol doubt that it might have any value in the diet; those who support it deny any positive effect of Prohibition," he writes. "Compromise seems unthinkable for either side."

Reports and Studies

Alexander, Barton, *The Role of the Alcohol Beverage Industry in Preventing Abuse*, paper presented at the

37th International Congress on Alcohol and Drug Dependence, San Diego, Calif., August 1995.

Alexander, public affairs director for the Coors Brewing Co. in Golden, Colo., notes that both sides in the alcoholic beverage advertising controversy typically "enlist researchers, advocacy organizations, political organizations and public relations experts to fight their battles. Often, considerable expertise and resources produce nothing but a stalemate."

Center for Science in the Public Interest, *Marketing Booze to Blacks*, 1987.

"For years, the special devastation that alcohol use and abuse wreak among blacks has been largely ignored by both blacks and whites, researchers and educators," says this report from CSPI, which has studied the impact of alcoholic beverage advertising for years. It adds: "Black drinking habits are not, however, being ignored by alcohol producers, who have implemented ambitious marketing campaigns that target blacks."

Center for Science in the Public Interest, *Marketing Disease to Hispanics*, 1989.

This CSPI report, similar to the 1987 study on marketing of alcohol to African Americans, has a somewhat broader field of vision. In addition to alcohol, it examines tobacco and junk-food advertising campaigns targeting the Hispanic community.

U.S. House Select Committee on Children, Youth, and Families, *Confronting the Impact of Alcohol Labeling and Marketing on Native American Health and Culture*, published proceedings of hearing held May 19, 1992.

Federal officials, representatives of Indian tribes and public health advocates air their views on the effects of alcoholic beverages on Native American communities.

U.S. House Select Committee on Children, Youth and Families, *Preventing Underage Drinking: A Dialogue With the Surgeon General*, published proceedings of hearing held Nov. 15, 1991.

Antonia C. Novello, U.S. surgeon general during the Bush administration, testifies: "The kinds of ads that appeal to our young people are appealing to some degree to all of us, but our young people, in their search for identity, their doubts about their own popularity and sexual attractiveness, are particularly vulnerable. And that is the part that worries me."

The Next Step

Additional information from UMI's Newspaper & Periodical Abstracts™ database

Advertising Aimed at Kids

Fleming, Heather, "Ad Council eyes liquor ad probe," *Broadcasting & Cable*, Dec. 16, 1996, p. 28.

The National Advertising Review Council (NARC) will consider creating a board to examine whether advertising for tobacco and alcohol targets underage consumers. NARC frequently investigates ads for truthfulness and accuracy, and the industry has complied with 95 percent of the group's decisions.

Horovitz, Bruce, "Critics say Bud ads too ribbet-ing for kids," *USA Today*, April 25, 1996, p. B1.

According to a survey of 221 fourth- and fifth-graders by the Center on Alcohol Advertising, elementary school kids are more familiar with Budweiser's cartoon frogs than they are with Tony the Tiger or Smokey Bear. The group asked Anheuser-Busch to stop airing advertisements that appeal to minors.

Kreck, Dick, "Do frogs sell beer to kids?" *Denver Post*, April 27, 1996, p. E8.

Kreck discusses a study by the Center on Alcohol Advertising that examines the influence that alcohol advertising on TV has on children.

Scherer, Ron, and Nicole Gaouette, "Critics Take Aim at the Effect of Hip Commercials on Kids," *The Christian Science Monitor*, Dec. 26, 1996, p. 1.

In a debate similar to the one over cigarette advertising, the liquor industry is coming under fire for its TV ads and jingles that appeal to children. Critics of the alcohol industry believe there are links between advertising and teenage alcoholism. The industry argues that children drink because of peer pressure and parental practices, not because of the ads. The underlying issues include basic questions about sales psychology and First Amendment rights. (Pt 1 of 2).

Stamborski, Al, "Wise-Er? under Pressure, A-B Drops Frog Commercials," *St. Louis Post-Dispatch*, Jan. 15, 1997, p. C1.

Anheuser-Busch is apparently scrapping its wildly popular and controversial ad campaign using the lifelike Bud-Weis-Er frogs in January 1997. The Center on Alcohol Advertising and other child advocates such as Mothers Against Drunk Driving say the advertisements encourage children to drink beer.

Strausberg, Chinta, "Pfleger warns Clinton to keep an eye on alcohol," *Chicago Defender*, Oct. 14, 1996, p. 10.

On Oct. 13, 1996, Father Michael L. Pfleger of St. Sabina Church in Chicago, Ill., urged President Clinton "not to take his eyes off" the alcohol industry, which Pfleger says

is aggressively escalating its advertising campaigns to seduce women and youth.

Advertising Aimed at Minorities

Bell, Kim, "Troupe backs ban on alcohol ads," *St. Louis Post-Dispatch*, May 7, 1996, Sec. A, p. 13.

State Rep. Quincy Troupe, D-Mo., argued in the House on May 6, 1996, that billboards advertising alcohol targeted black men and contributed to the decline of the city's most dangerous neighborhoods. Troupe wants the state to ban such advertising in high-crime areas.

Thornton, Jerry, "Priest has message for negative ads on billboards," *Chicago Tribune*, July 11, 1996, Sec. 2C, p. 3.

For over a decade, Michael L. Pfleger has been waging a war against alcohol and tobacco billboard advertising in African-American and Hispanic neighborhoods in Chicago, Ill. Pfleger's campaign recently got a boost when President Clinton made comments against such advertising.

Health Warning Labels

Chapman, Stephen, "Alcohol labels and the uninformed consumer," *Chicago Tribune*, Jan. 28, 1996, p. 21.

Chapman comments on the United States Department of Agriculture's dietary guidelines, which note "current evidence suggests that moderate drinking is associated with a lower risk of coronary heart disease in certain individuals." He notes that the Bureau of Alcohol, Tobacco and Firearms (BATF) doesn't want the news to be released to the public because the agency believes that an ignorant consumer is a good consumer.

Jacoby, Jeff, "Feds slow to wake up to alcohol's healthful effects," *The Boston Globe*, Jan. 9, 1996, p. 15.

Jacoby comments on health benefits of moderate alcohol consumption and argues that "Big Brother's federal bully boys" want to keep any mention of it from the public and off of labels.

Wood, Valerie D., "The precarious position of commercial speech: *Rubin v. Coors Brewing Co.*," *Harvard Journal of Law & Public Policy*, winter 1996, pp. 612-625.

The Supreme Court's decision in *Rubin v. Coors Brewing Co.* is examined. The court extended commercial speech protection to labels on alcoholic beverages but failed to define the scope of that protection.

Industry Advertising Codes

"Ad industry group rejects alcohol, tobacco system," *The Wall Street Journal*, Dec. 23, 1996, p. B5.

The National Advertising Review Council, the advertising industry's main voluntary review body, said it will not set up a separate system for reviewing the impact of alcohol and tobacco ads on children, in a move following fierce opposition from brewers to such a plan.

Beatty, Sally Goll, "Advertising: Group weighs alcohol, tobacco ad rules," *The Wall Street Journal*, Dec. 9, 1996, p. B7.

The American Association of Advertising Agencies is considering adopting limits on alcohol and tobacco advertising by setting up a self-regulatory body that would review ads for adult-only products — a reversal of strategy amid mounting industry fears of a government crackdown. The proposed body would look at all ads for "products that cannot be sold or consumed by minors" legally, said O. Burtch Drake, the association's president.

Klahr, Sharon, "Where do you draw the line?" *Graphis*, November 1996, pp. SS2-SS3.

There are those in advertising who struggle to maintain certain personal and professional standards of integrity, with regard to politics, sex and particularly products such as cigarettes and alcohol. Ethics in advertising is discussed.

Spain, William, "Media are the message for 2 alcohol marketers," *Advertising Age*, Oct. 7, 1996, p. S2.

Arthur Shapiro, an advertising executive at Seagram Americas, and August A. Busch IV, an advertising executive at Anheuser-Busch, are profiled. Their marketing strategies are discussed.

State and Local Regulation

Barrington, Stephen, "Canada eases alcohol-ad rules," *Advertising Age*, Sept. 9, 1996, p. 53.

The Canadian Radio-Television & Telecommunications Commission has decided to loosen restrictions on alcoholic beverage advertisers. This decision could result in increased advertising spending and a freer rein on creativity.

Crumley, Bruce, "Ad restrictions back under fire," *Advertising Age*, March 11, 1996, p. 16.

The French law that severely restricts alcohol advertising and virtually bans tobacco advertising appears set to be overturned by the European Commission on the grounds that it is incompatible with European Union (E.U.) rules. While the law has good intentions, the E.U. feels that it has no effect diminishing alcohol and tobacco consumption.

Enrico, Dottie, "High court cracks lid on alcohol ads," *USA Today*, May 21, 1996, p. B1.

On May 20, 1996, the Supreme Court set aside a ruling that upheld a Baltimore, Md., law barring billboards that advertise alcoholic beverages, sending the matter back to the 4th Circuit Court of Appeals in Richmond, Va. Baltimore adopted the ordinance to discourage underage drinking.

Hassell, Greg, "Don't blame ads for alcohol's ills," *Houston Chronicle*, June 12, 1996, p. C1.

Hassell discusses the Comprehensive Alcohol Abuse Prevention Act of 1996 proposed by U.S. Rep. Joseph P. Kennedy II, D-Mass., which would ban alcohol ads in publications with a youth readership unless the ads are text only with black-and-white print. The author argues that there's not much evidence that advertising drives people to drink abusively.

Hershey, Robert D. Jr., "U.S. Expands Inquiry Into Alcohol Ads," *The New York Times*, Nov. 28, 1996, p. D1.

In an investigation into the beer industry, the Federal Trade Commission (FTC) is looking at whether Stroh Brewing Co. is running TV ads that are aimed at underage viewers, officials said on Nov. 27, 1996. The FTC is also looking into the marketing and advertising practices of Seagram Co., a Canadian distiller. Earlier in the month, distillers ended a self-imposed ban on liquor ads on TV and radio.

"High court bars limits on alcohol advertising," *San Francisco Chronicle*, May 14, 1996, p. A3.

Bolstering the free-speech rights of advertisers, the U.S. Supreme Court on May 13, 1996, ruled that the government cannot bar the promotion of lawful products it deems undesirable, a decision that casts doubt on President Clinton's campaign to ban cigarette ads aimed at young people.

Ingersoll, Bruce, "FTC opens investigation of TV alcohol advertising," *The Wall Street Journal*, Nov. 27, 1996, p. A3.

In the first action of its kind, the FTC has opened an investigation into alcoholic-beverage advertising on TV, focusing initially on ads being run by Joseph E. Seagram & Sons Inc. and by Stroh Brewery Co. In a unanimous vote, the FTC authorized its consumer-protection staff to use its subpoena powers in the inquiry. One objective is to determine the advertising's effect on underage viewers.

"Kennedy unveils ad limits to combat underage drinking," *Alcoholism & Drug Abuse Weekly*, May 20, 1996, pp. 1-3.

Rep. Joseph P. Kennedy II, D-Mass., has introduced a much-anticipated bill to curb alcohol advertisements in an attempt to deter underage drinking. Kennedy is a long-time critic of alcohol advertising campaigns.

McConnell, Chris, "FCC to study liquor ads," *Broadcasting & Cable*, Nov. 4, 1996, p. 6.

The Federal Communications Commission (FCC) has requested that copies of Seagram distillery's TV advertisements be sent to it so that these ads can be studied by the agency. Whether or not the FCC has the authority to regulate alcohol advertising, however, is unclear.

Robins, Max J., "Current ads may be alcohol's last call," *TV Guide*, Jan. 25, 1997, pp. 65-66.

A major battle brewing in Washington, D.C., could result

in the virtual prohibition of liquor commercials on TV. Robins discusses the challenges alcohol advertising is getting from Congress and the FCC.

Weinstein, Henry, "Ruling may boost FDA's ad crack-down," *Los Angeles Times*, Nov. 15, 1996, p. D3.

A federal appeals court has upheld a ban by the city of Baltimore that prohibits billboards from advertising tobacco and alcohol in most parts of the city. The ruling could significantly bolster the FDA's efforts to keep alcohol and cigarette ads away from children.

Temperance Movement

"Celebrating sobriety," *The Boston Globe*, July 3, 1996, p. 14.

An editorial supports a multifront effort of advertising to curb underage alcohol use, stressing that ads for alcoholic beverages should be restricted to some degree while ads stressing personal responsibility should continue.

Cohen, Deborah A., "Restrict alcohol as well," *Times-Picayune*, Sept. 1, 1996, p. B6.

In a letter to the editor, Cohen of the Louisiana State University Medical Center's 21-Proof Coalition calls for the federal government to regulate and limit advertising for alcoholic beverages.

Grayson, George W., "Striking a blow against booze peddlers," *The Washington Post*, Nov. 24, 1996, p. C8.

Rep. George W. Grayson D-Va., comments that with liquor producers poised to take to the airwaves to advertise alcohol, Virginia can do something to protect its youth: Its state-operated ABC stores can discontinue the sale of any hard liquor advertised on TV or radio.

Komro, Kelli A., Cherly L. Perry, David M. Murray and Sara Veblen-Mortenson et al, "Peer-planned social activities for preventing alcohol use among young adolescents," *Journal of School Health*, November 1996, pp. 328-334.

The Project Northland peer participation program tested the feasibility of involving students in the planning and promotion of alcohol-free social activities for their peers and to determine whether such participation was associated with reduced alcohol use. The peer program was offered in 20 northeastern Minnesota schools when the study cohort was in seventh grade.

Peele, Stanton, "Getting wetter?" *Reason*, April 1996, pp. 58-61.

After several decades of anti-alcohol crusading, it now appears that the U.S. is swinging back toward a more positive attitude. Peele provides an overview of the temperance movement in the U.S. and its waning power.

Youth Drinking

Aiken, Doris, "Alcohol in academe," *Chicago Tribune*, June 1, 1996, p. 17.

In a letter to the editor, Doris Aiken of Remove Intoxicated Drivers U.S.A. Inc. suggests that parents looking into selecting a college for their child also examine the school's policy in relation to alcohol and its abuse.

Chaloupka, Frank J., and Henry Wechsler, "Binge drinking in college: The impact of price, availability, and alcohol control policies," *Contemporary Economic Policy*, October 1996, pp. 112-124.

A study estimates the effects of beer prices, alcohol availability and policies related to drunk driving on drinking and binge drinking among youths and young adults.

Chassin, Laurie, and Christian DeLucia, "Drinking during adolescence," *Alcohol Health & Research World*, 1996, pp. 175-180.

Experience with drinking alcohol often begins in adolescence, and research has associated a variety of serious health risks with adolescent drinking. Risk factors for adolescent drinking encompass sociocultural factors, parental behavior and drinking patterns, the influence and drinking habits of peers and siblings, personality traits and positive beliefs about the effects of alcohol.

"Eight Charged In Alcohol Death," *The New York Times*, Feb. 11, 1997, p. A19.

Eight students at Frostburg State University in Maryland have been charged with manslaughter in the alcohol poisoning death of a freshman who got drunk at a fraternity party. The freshman, John Eric Stinner, 20, consumed at least six beers and 12 shots of vodka in two hours at the off-campus party held by Kappa Beta Zeta, said the Allegany County State's Attorney, Lawrence V. Kelly.

Naughton, Jim, "Alcohol abuse by athletes poses big problems for colleges," *The Chronicle of Higher Education*, Sept. 20, 1996, pp. A47-48.

A number of universities have been forced to deal with players or coaches who violate drinking laws or get into trouble while drunk. Alcohol abuse by college athletes and coaches and efforts by universities to deal with this problem are discussed.

Webb, E., and C. H. Ashton, and P. Kelly, and F. Kamali, "Alcohol and drug use in U.K. university students," *Lancet*, October 5, 1996, pp. 922-925.

The authors report on a survey concerning alcohol and drug use among university students from the United Kingdom. Information about drinking, use of cannabis and other illicit drugs, other lifestyle variables and subjective ratings of anxiety and depression was obtained by questionnaire in a sample of 3,075 second-year university students.

Back Issues

Great Research on Current Issues Starts Right Here...Recent topics covered by The CQ Researcher are listed below. Before May 1991, reports were published under the name of Editorial Research Reports.

SEPTEMBER 1995

Catholic Church in the U.S.
Northern Ireland Cease-Fire
High School Sports
Teaching History

OCTOBER 1995

Quebec's Future
Revitalizing the Cities
Networking the Classroom
Indoor Air Pollution

NOVEMBER 1995

The Working Poor
The Jury System
Sex, Violence and the Media
Police Misconduct

DECEMBER 1995

Teens and Tobacco
Gene Therapy's Future
Global Water Shortages
Third-Party Prospects

JANUARY 1996

Emergency Medicine
Punishing Sex Offenders
Bilingual Education
Helping the Homeless

FEBRUARY 1996

Reforming the CIA
Campaign Finance Reform
Academic Politics
Getting Into College

MARCH 1996

The British Monarchy
Preventing Juvenile Crime
Tax Reform
Pursuing the Paranormal

APRIL 1996

Centennial Olympic Games
Managed Care
Protecting Endangered Species
New Military Culture

MAY 1996

Russia's Political Future
Marriage and Divorce
Year-Round Schools
Taiwan, China and the U.S.

JUNE 1996

Rethinking NAFTA
First Ladies
Teaching Values
Labor Movement's Future

JULY 1996

Recovered-Memory Debate
Native Americans' Future
Crackdown on Sexual Harassment
Attack on Public Schools

AUGUST 1996

Fighting Over Animal Rights
Privatizing Government Services
Child Labor and Sweatshops
Cleaning Up Hazardous Wastes

SEPTEMBER 1996

Gambling Under Attack
The States and Federalism
Civic Journalism
Reassessing Foreign Aid

OCTOBER 1996

Political Consultants
Insurance Fraud
Rethinking School Integration
Parental Rights

NOVEMBER 1996

Global Warming
Clashing Over Copyright
Consumer Debt
Governing Washington, D.C.

DECEMBER 1996

Welfare, Work and the States
The New Volunteerism
Implementing the Disabilities Act
America's Pampered Pets

JANUARY 1997

Combating Scientific Misconduct
Restructuring the Electric Industry
The New Immigrants
Chemical and Biological Weapons

FEBRUARY 1997

Assisting Refugees
Alternative Medicine's Next Phase
Independent Counsels
Feminism's Future

MARCH 1997

New Air Quality Standards

Future Topics

- ▶ ***Civic Renewal***
- ▶ ***Educating Gifted Children***
- ▶ ***Declining Crime Rates***

Back issues are available for \$5.00 (subscribers) or \$10.00 (non-subscribers). Quantity discounts apply to orders over ten. To order, call Congressional Quarterly Customer Service at (202) 887-8621.

Binders are available for \$18.00. To order call 1-800-638-1710. Please refer to stock number 648.