

April 25, 2011
FTC COMMENT

The following information would be helpful to the FTC, state agencies and public health professionals:

1) Could the beverage alcohol producers, their representatives or the advertising agencies involved in their marketing activities provide data on the ages of actors employed in television and print advertising? If possible, disaggregate this information according to ads that were placed on the NCAA men's and women's basketball tournament games between 1998 and 2009. Please provide information about the number of complaints received during these years, and how many of the complaints were found to be justified in terms of actual code violations. Please disaggregate these data according to complaints filed and upheld against Anheuser Busch, Miller, and all other companies that advertised on NCAA tournament games during this period.

2) The following request applies to complaint review committees established by individual alcohol producers or organizations that represent them (e.g., the Beer Institute, DISCUS). Please provide curricula vitae for all individuals who are charged to review complaints about violations of industry self-regulation codes. What criteria are used to select these individuals? Is advanced doctoral training in public health, psychiatry, psychology, social work or other medical or mental health professions part of the selection criteria?

3) Please describe any financial compensation provided to members of complaint review panels for their services. Do the members of these review committees file conflict of interest declarations with the organization charged with managing the review of complaints? If so, can that information be made available to the public? If not, could the responsible organizations be asked to provide a conflict of interest declaration describing their financial and other associations with the alcohol industry?

4) What procedures are used to review complaints filed in response to alcohol marketing activities that are considered to be in violation to industry voluntary codes? Can the industry produce data showing the psychometric properties of these procedures in terms of their accuracy (validity) and consistency (reliability) in detecting violations in the voluntary codes of practice?

5) Does the alcohol industry collect sales data in connection with specific ads or ad campaigns? Can this information be shared with qualified media experts and public health professionals to evaluate the impact of advertising on vulnerable populations?

6) In 2006 the Beer Institute modified the content guidelines of the Beer Institute Code. What was the rationale for these modifications? Were the changes associated with any increase or decrease in the number of code violations detected by the Beer Institute in its review of complaints? On what psychological grounds was it considered acceptable to portray illegal activity in beer ads as long as the situation was considered to be a spoof or parody?

7) Please provide financial information for expenditures for product placements in television shows and movies. This request includes the type of product employed in any visual representations or scenes, the amount of funds paid, and to whom the compensation was paid (e.g., actors, producers, etc.).

8) What evidence can be presented to demonstrate that the responsible drinking messages (oral and visual) in TV and print ads deter viewers above the legal drinking age from engaging in excessive drinking? Can the industry present data showing that the printed "responsibility" messages in TV ads are legible enough to be recognized by viewers?

9) How does the alcohol industry and those charged with developing its ad material evaluate whether marketing materials do not appeal primarily to persons under the legal drinking age?

10) Since 2002, the beer industry has promoted low carb beer and malt beverages (i.e., Michelob Ultra) among health conscious drinkers. What is the scientific basis for associating low-carbs with health, physical activity and weight loss? If yes, was the scientific basis endorsed by credible national medical associations?