

23rd August 2019

Consultation on the standards for Advertising and Promotion of Alcohol

New Zealand College of Midwives

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The New Zealand College of Midwives is the professional organisation for midwifery. Our members are employed and self-employed and collectively represent over 90% of the practising midwives in this country. There are approximately 3,000 midwives who hold an Annual Practising Certificate (APC). These midwives provide maternity care to, on average, 60,000 women and babies each year. New Zealand has a unique and efficient maternity service model which centres care around the needs of the woman and her baby.

Midwives undertake a four-year equivalent undergraduate degree to become registered followed by a first year of practice program that includes full mentoring by senior midwives. The undergraduate curriculum meets all international regulatory and education standards. Midwives are authorised prescribers in relation to their Scope of Practice as determined by the Midwifery Council.

Midwives provide an accessible and primary health care service for women in the community within a continuity of carer model as Lead Maternity Carers. Midwives can also choose to work within secondary and tertiary maternity facilities, providing essential care to women with complex maternity needs.

The College offers information, education and advice to women, midwives, district health boards, health and social service agencies and the Ministry of Health regarding midwifery and maternity issues. Midwives interface with a multitude of other health professionals and agencies to support women to achieve the optimum outcome for their pregnancies, health and wellbeing

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Advertising Standards Authority

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The New Zealand College of Midwives (the College) welcomes the opportunity to provide feedback for the Consultation on the standards for Advertising and Promotion of Alcohol. The College notes that the purpose of the Alcohol Advertising and Promotion Code (Code) is to ensure that alcohol advertising and promotion is conducted in a manner that demonstrates a high standard of social responsibility, and that advertising and promotion must be legal, decent, honest and truthful and respect the principles of fair competition. As the College is very familiar with the frequent association of alcohol and violence in the context of negative effects on the health and wellbeing of pregnant women, mothers, babies and children, we continue to support regulation of alcohol promotion, advertising and sponsorship rather than the model underpinned by the belief in industry self-regulation.

Alcohol can exacerbate a tendency to violence and increases the stress levels in families emotionally, physically and financially. The College and midwife members are aware that the majority of women stop drinking once they know they are pregnant but that women with alcohol addiction struggle to manage their addiction during pregnancy. The College supports strategies that improve access to effective contraception and access to free pregnancy tests for increasing the early confirmation of pregnancy.

Although this is outside the scope of this specific consultation the College considers that a major problem for women and midwives is the availability, accessibility and prioritisation of services for pregnant women who have alcohol addiction. More information about alcohol addiction services and whether they currently meet the needs of pregnant women is overdue, and we would like to see a stocktake of service provision and accessibility, acceptability and outcomes of alcohol addiction services undertaken. We feel that this work should occur alongside work which is considering standards for the advertising and promotion of alcohol.

With the clear view of a preferred strong regulatory model in mind we have provided feedback below on the three principles contained within the code.

Executive summary

- The College supports a regulatory framework for alcohol promotion and recommends greater restrictions be put into place.
- The College does not support an industry self-regulatory model.
- The College considers that all linkages between alcohol and sports, music festivals and other cultural events, and celebrity endorsements should not be permitted.
- The College recognises that drinking alcohol does not happen in isolation, but rather it is shaped by social, environmental and cultural influences which include the context of alcohol consumption normalisation through marketing and promotion.¹
- The College supports a change to the law, which is necessary to restrict existing and any future forms of alcohol promotion, with meaningful penalties that will effectively discourage industry and promoters from breaking the law. This requires effective monitoring, reporting procedures and meaningful sanctions to be put into place.
- The College considers that all players have roles in the reduction of alcohol harm and alcohol exposed pregnancies and that the commitment of professionals, non-government organisations, communities, families and individuals working together is needed. The alcohol industry, as one of the major influences on alcohol consumption, is also a critical part of this picture and legislation and a plan to limit marketing is necessary. This would support a holistic, societal approach to what is essentially a major public health issue.

PRINCIPLE 1: SOCIAL RESPONSIBILITY Alcohol advertisements and promotions must be prepared and placed with a high standard of social responsibility to consumers and to society.

1.1 Principle 1 permits sporting or other physical activities to be represented in alcohol advertisements and promotions providing there is no implication that alcohol will be consumed before or during the activities. The College strongly disagrees with this stance and considers that the continued use of sports events and celebrity sportspeople to market alcohol is inappropriate and represents a means for industry to further normalise alcohol usage by young people and to set up harmful role-modelling scenarios.

¹ New Zealand College of Midwives. (2018). *Consensus Statement: Alcohol and Pregnancy*. Ratified 1995 and reviewed and updated 2001, 2005, 2009 and 2018.

1.2 The recommendations about advertising and sponsorship made by the New Zealand Law Commission in 'Alcohol in our Lives' ² should be implemented to ensure there is no alcohol-related sponsorship of any cultural or sports events or activities; and no alcohol advertising or alcohol sponsorship in any media forums, which includes television, radio, internet and social media, apart from the advertising of objective non-misleading product information from non-commercial sources.

1.3 The College notes that the Public Health Alcohol Bill ³ which comes into effect in Ireland in November 2019 will enforce alcohol advertising bans near schools or play areas, coupled with new separation rules for drink sold in shops. This means that shop-owners will be required to erect barriers hiding alcohol. The College supports these measures.

PRINCIPLE 2: TRUTHFUL PRESENTATION Alcohol advertisements and promotions must be truthful, balanced and not misleading.

2.1 This principle provides for actual information about a product's contents to be included providing the claim is able to be substantiated and this includes statements such as "reduced energy", "low carb", "low calorie", "reduced alcohol" or "low alcohol". The College notes recent media reporting of Consumer NZ work on the alcoholic content of drinks like kombucha which suggested some brands / products could have alcoholic content of up to 3%. The College recommends that these products, which are often promoted as healthy, should be required to have mandatory testing and be included in labelling regulations.

2.2 The College has some concerns about possible thresholds for pregnancy warning labels as some lower alcohol drinks could theoretically be marketed to pregnant women as substitutes for drinks with higher alcohol content. As the College continues to support the public health message of alcohol-free pregnancies we would be concerned if any lower alcohol beverages became a focus of marketing to pregnant women.

2.3 In terms of truthful presentations of alcohol, the College notes that the Consumer Federation of America (CFA) is aiming to increase public awareness of the link between alcohol and cancer. Reports from the US state that Consumer and public health agencies are calling on federal regulators to add new warning labels on alcoholic beverages to indicate they may cause cancer.⁴ The proposed new language is; "*Government Warning: According to the Surgeon General, consumption of alcoholic*

² Law Commission. (2010). *Alcohol in our lives: Curbing the harm*. Report 114, Wellington, NZ Law Commission.

³ Alcohol Action Ireland. <https://alcoholireland.ie/what-is-the-public-health-alcohol-bill/>

⁴ *Alcoholic beverages should carry cancer warnings, health groups say*. 28/6/2019

<https://www.cbsnews.com/news/cancer-warning-labels-proposed-for-alcohol/>

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beverages can cause cancer, including breast and colon cancers.” The College would be interested to know if a similar warning is being considered for Aotearoa New Zealand.

PRINCIPLE 3: ALCOHOL SPONSORSHIP ADVERTISEMENTS Alcohol sponsorship advertisements must clearly and primarily promote the sponsored party.

3.1 The College continues to maintain the view that alcohol branding on products, and sponsorship agreements are detrimental to population health and wellbeing and should not be permitted. Social events in Aotearoa New Zealand with alcohol sponsorship and branding contribute to the normalisation of alcohol consumption.

Conclusion

The College’s consensus statement on alcohol and pregnancy recognises clearly that drinking alcohol does not happen in isolation, but rather it is shaped by social, environmental and cultural influences which include the context of alcohol consumption normalisation.⁵ The permissive societal attitudes to alcohol are exacerbated by numerous factors such as tobacco use, drug use, stress levels, social supports, and emotional wellbeing, and underpinned by the advertising and promotion of alcohol. We are grateful to have the opportunity to provide a submission on this significantly important topic.

Ngā mihi

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⁵ New Zealand College of Midwives. (2018). *Consensus Statement: Alcohol and Pregnancy*. Ratified 1995 and reviewed and updated 2001, 2005, 2009 and 2018.

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