

# THE NATIONAL LAW REVIEW

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## Alcohol Advertising in Digital Media, Part 4: Industry Self-Regulation

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Alcohol beverage suppliers were among the first U.S. business sectors to embrace self-regulation of advertising and marketing in the 1930s and 1940s. Voluntary codes have evolved from simple commitments to truthful advertising to comprehensive guidance documents containing mechanisms for independent review of consumer complaints.

Compliance with voluntary industry codes does not absolve an advertiser from compliance with laws and regulations covered in [Part 2](#) and [Part 3](#) of this series. The codes cover areas that would be difficult for government to regulate such as non-misleading advertising content, which enjoys significant First Amendment protection. The codes also provide best practices in minimizing exposure of persons under the legal drinking age to alcohol advertising.

As indicated in [Part 1](#) of this series, the **Federal Trade Commission (FTC)** views compliance with voluntary codes as an essential part of an alcohol beverage advertising and marketing function. A detailed FTC review of advertising practices initiated in 2012 will likely result in a report to Congress by the end of 2013. That report will include a detailed analysis of digital advertising activities and expenditures along with recommendations for future code enhancements.

The codes subject the digital marketing space to the same list of traditional “dos and don’ts” in advertising content that apply to all other media. Beyond those fundamentals, digital advertising is subject to unique placement and audience measurement requirements that require communication with host networks and/or advance research on the audience demographics of traditional web sites or networks.

Voluntary industry codes are developed and disseminated by trade associations for distillers, vintners, and brewers. Similar guidelines exist across all codes for advertising content. Audience demographic standards are included in the codes of the Distilled Spirits Council of the United States, Beer Institute and Wine Institute. Those standards are the same as they are based on U.S. Census data. Links to major industry codes and examples of media policies follow:

[Beer Institute Advertising and Marketing Code](#) and [Buying Guidelines](#)

[Brewers Association Advertising Code](#)

[Distilled Spirits Council of the United States Code of Responsible Practices](#) and [Note on Responsible Digital Marketing Communications](#)

[Facebook Alcohol Advertising Policy](#)

[Google Alcohol Advertising Policy](#)

[Wine Institute Code of Advertising Standards](#)

See Previous Parts of this Article:

The logo for McDermott Will & Emery, featuring the firm's name in a green, sans-serif font. The text is arranged in two lines: "McDermott" on the top line and "Will & Emery" on the bottom line.

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