

DISTILLED
SPIRITS
COUNCIL
OF THE
UNITED
STATES

SEMI-ANNUAL CODE REPORT

Sixth Edition for the period January 2007 through June 2007

CODE OF RESPONSIBLE PRACTICES
FOR BEVERAGE ALCOHOL
ADVERTISING AND MARKETING

www.discus.org

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The Distilled Spirits Council of the United States, Inc. (DISCUS) is a national trade association representing producers and marketers of distilled spirits and importers of wine sold in the United States. In 1973, DISCUS was formed as a result of the merger of three organizations-The Bourbon Institute, The Distilled Spirits Institute and The Licensed Beverage Industries, Inc.-that had been in existence for decades.

The members of DISCUS represent nearly 80% of all distilled spirits sold in this country. For this reporting period, DISCUS members were:

Bacardi U.S.A., Inc.

Barton Incorporated

Brown-Forman Corporation

Diageo

Sidney Frank Importing Co., Inc.

Future Brands LLC

(joint venture of Beam Global Spirits & Wine, Inc. and
The Absolut Spirits Company, Incorporated)

Luxco, Inc.

Moët Hennessy USA, Inc.

Rémy Cointreau USA, Inc.

Pernod Ricard USA

Suntory International Corp.

TABLE OF CONTENTS

OPEN LETTER TO INTERESTED PARTIES	1
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PUBLIC REPORT

• GLENFIDDICH	2
PLACEMENT COMPLAINT / NONMEMBER	
• BAILEY'S CHOCOLATE MINT AND CAMEL	3
PLACEMENT COMPLAINT / MEMBER	
• SMIRNOFF BLACK CHERRY	5
PLACEMENT COMPLAINT / MEMBER	
• ABSOLUT VODKA	6
PLACEMENT COMPLAINT / MEMBER	
SMIRNOFF VODKA	6
PLACEMENT COMPLAINT / MEMBER	
TANQUERAY GIN	6
PLACEMENT COMPLAINT / MEMBER	
JOHNNIE WALKER SCOTCH WHISKY	6
PLACEMENT COMPLAINT / MEMBER	
CANADIAN MIST WHISKY	6
PLACEMENT COMPLAINT / MEMBER	
BACARDI RUM	6
PLACEMENT COMPLAINT / MEMBER	
• THE KNOT	9
CONTENT COMPLAINT / NONMEMBER	
• ABSOLUT VODKA	11
PLACEMENT COMPLAINT / MEMBER	
GREY GOOSE VODKA	11
PLACEMENT COMPLAINT / MEMBER	
SVEDKA VODKA	11
PLACEMENT COMPLAINT / MEMBER	
• SVEDKA VODKA	12
CONTENT COMPLAINT / MEMBER	
• SVEDKA VODKA	13
CONTENT AND PLACEMENT COMPLAINT / MEMBER	
• SMIRNOFF ICE	15
CONTENT COMPLAINT / MEMBER	
• JACK DANIEL'S	16
CONTENT COMPLAINT / MEMBER	

BACKGROUND

HISTORY OF THE DISCUS <u>CODE</u>	18
CURRENT DISCUS <u>CODE</u> AND ORIGIN OF PUBLIC REPORT	19
INTERNET/DIGITAL BUYING GUIDELINE	21
CODE REVIEW BOARD PROCESS	23
HOW TO FILE A COMPLAINT	24
CODE REVIEW BOARD	25
OUTSIDE ADVISORY BOARD	26
RECENT OUTREACH ACTIVITIES	27

Open Letter to Interested Parties:

We are pleased to issue the sixth Report of complaint decisions by the Distilled Spirits Council's Code Review Board, the spirits industry's advertising compliance review body. This Report makes public Code Review Board actions for the period of January 1, 2007 through June 30, 2007. For this reporting period, the Board received ten complaints involving 32 advertisements subject to the DISCUS Code of Responsible Practices for Beverage Alcohol Advertising and Marketing. Throughout the decades, there has been 100% compliance by DISCUS members with the Code Review Board's decisions and overwhelming compliance by non-DISCUS members. During this reporting period, there was a 100% compliance rate with the Board decisions among DISCUS members and nonmembers alike.

For more than two decades, the DISCUS Code has provided for a Code Review Board that is charged with reviewing complaints about advertising and marketing materials in the marketplace. The Code applies to all of the distilled spirits, beer and wine brands marketed by DISCUS members and is followed by non-member distilled spirits marketers. Each complaint reviewed by the Board, whether lodged by a private citizen, third-party organization, government official, or an industry member, is given identical consideration and priority status. After receiving a complaint, the Board determines whether the advertisement is consistent with the provisions of the Code and, if a provision of the Code has been violated, the Board urges that the advertisement be revised or withdrawn.

As the marketplace, technology and social mores change, the DISCUS voluntary Code also evolves. With online and digital communication channels becoming increasingly present in today's media landscape, we are pleased to announce the establishment of an internet/digital "buying guideline" for all advertising and marketing materials subject to our Code. This buying guideline is designed to further strengthen the Code and its guiding principle of responsible advertising directed to adults.

The Code Review Board devoted substantial time and resources in developing a state of the art guideline for this medium. The Board met with experts in the field, syndicated "internet" demographic data sources and various media companies to solicit their expertise in formulating a specific guideline to best meet the 70% 21 years of age and older demographic provisions of the Code. To the best of our knowledge, we are the first trade group to issue an internet buying guideline that will be used across an entire industry.

This new guideline, effective January 1, 2008, will apply to all paid and unpaid placements made by or under the control of the advertiser, including advertising on third-party websites, video advertisements, audio mentions, internet banners, pop-ups, sponsorships, user-generated content (including blogs), and other types of internet/digital advertising or marketing. A copy of the guideline may be found at page 21 of this Report and also may be accessed on the DISCUS website (<http://www.discus.org/responsibility.asp>) by clicking on the "Internet/Digital Advertising Buying Guideline" link. Advertising and marketing materials placed in this medium also will be subject to the Code's requirement for semi-annual post audits of random placements as currently is the case for all other mediums.

Our goal is to increase awareness of the Code by all means and to ensure compliance with its provisions in all venues. Issuance of this Report allows the public at large to better evaluate and appreciate our longstanding review process. More importantly, it serves as an effective tool to familiarize non-DISCUS member distillers with the provisions of the Code, as well as to educate cable companies, broadcasters, magazine publishers, and other media outlets about its provisions.

We welcome this additional opportunity to urge State and Federal government officials and other interested parties to take advantage of our self-regulatory process by linking to the DISCUS Code (<http://www.discus.org/responsibility/code.asp>) on their websites as a means to refer inquiries or concerns to the Code Review Board for rapid consideration.

Sincerely,



Peter H. Cressy
President/CEO

Distilled Spirits Council

SIXTH PUBLIC REPORT

Advertisements:	Billboard advertisements for Glenfiddich
Advertiser:	William Grant & Sons, Inc. (Non-DISCUS member)
Complainants:	Public Officials, San Francisco, California
Complaint Summary:	Complainants believe that the locations of billboard advertisements for Glenfiddich violate Responsible Placement Provision No. 7 of the DISCUS <u>Code</u> providing that “[b]everage alcohol advertising should not be placed on any outdoor stationary location within five hundred (500) feet of an established place of worship or an elementary school or secondary school except on a licensed premise.”
Code Review Board Decision:	<p>Immediately upon learning of this placement, the Code Review Board contacted William Grant & Sons, a non-DISCUS member that owns the Glenfiddich brand, to investigate and rectify any violations of the DISCUS <u>Code</u>. At that time, the Board learned that William Grant & Sons already had contacted CBS Outdoor to investigate the matter. The Glenfiddich outdoor advertisements were no longer in place when the complaint was received by the Board.</p> <p>After careful deliberation, the Code Review Board did find a violation of Responsible Placement Provision No. 7.</p>
Action by Advertiser:	<p>Prior to the receipt of the complaint, the advertiser had notified CBS Outdoor about this unacceptable situation, as well as ordered CBS Outdoor to remove any of their existing brand advertisements from billboard locations violating the 500 foot provision of the DISCUS <u>Code</u>. The advertiser requested and received a letter of apology from CBS Outdoor for its actions and CBS Outdoor takes full responsibility for any violations.</p> <p>In light of CBS Outdoor's failure to fulfill its obligations, William Grant & Sons has undertaken proactive measures to guard against any future occurrences with all of its “out-of-home” (OOH) vendors and, as a matter of principle, sought a refund from CBS Outdoor for its misplaced locations.</p> <p>As a result of this intercession by William Grant & Sons, CBS Outdoor is reviewing its placement of all beverage alcohol advertisements to ensure that those placements comply with Responsible Placement Provision No. 7 of the DISCUS <u>Code</u>. To that end, CBS Outdoor will not reinstall such placements until the entire plant (e.g., the locations of its outside signs) has been resurveyed to ensure compliance with the 500 foot placement standard of the <u>Code</u>.</p> <p>CBS Outdoor's error in placing these advertisements has heightened its sensitivity to better managing the advertisements placed by that company on its billboards and we understand that CBS has taken steps to prevent such inappropriate placements from occurring in the future, including the actions set forth above.</p>
Status:	Resolved: Responsive action taken.

Advertisements:	Billboard advertisements for Bailey's Chocolate Mint and Caramel
Advertiser:	Diageo (DISCUS member)
Complainants:	Public Officials, San Francisco, California
Complaint Summary:	Complainants believe that the locations of billboard advertisements for Bailey's Chocolate Mint and Caramel violate Responsible Placement Provision No. 7 of the DISCUS <u>Code</u> providing that “[b]everage alcohol advertising should not be placed on any outdoor stationary location within five hundred (500) feet of an established place of worship or an elementary school or secondary school except on a licensed premise.”
Code Review Board Decision:	<p>Immediately upon learning of these placements, the Code Review Board contacted Diageo, a DISCUS member that owns the Bailey's brand to investigate and rectify any violations of the DISCUS <u>Code</u>. At that time, the Board learned that Diageo already had contacted CBS Outdoor to investigate the matter.</p> <p>The Bailey's Chocolate Mint and Caramel outdoor advertisement identified by the complainants was 1,050 feet from Riordan High School and therefore not a violation of the DISCUS <u>Code</u>.</p> <p>The Bailey's Chocolate Mint and Caramel advertisement identified by the complainant as being displayed at a bus shelter was located within 500 feet of the Avila Elementary School and therefore in violation of the DISCUS voluntary <u>Code</u>. To that end, the outdoor advertising in violation was removed forthwith.</p> <p>The outdoor advertisements identified by the complainants to be near St. Francis Lutheran Church and Mt. Sinai Chapel were not for Bailey's Chocolate Mint and Caramel, nor for any other distilled spirits brand.</p>
Action by Advertiser:	<p>Prior to the receipt of the complaint, the advertiser had contacted CBS Outdoor about this unacceptable situation, as well as to order CBS Outdoor to remove any of their existing brand advertisements from billboard locations violating the 500 foot provision of the DISCUS <u>Code</u>.</p> <p>The advertiser requested and received a letter of apology from CBS Outdoor for its actions and CBS Outdoor takes full responsibility for any violations. In light of CBS Outdoor's failure to fulfill its obligations, Diageo also has undertaken proactive measures to guard against any future occurrences. Diageo met with the West Coast Senior Vice President of CBS Outdoor to discuss the necessity of abiding by the DISCUS <u>Code</u> and also resubmitted its compliance policy to all of its “out-of-home” (OOH) vendors across the nation stressing strict compliance with the <u>Code</u> and directed all of these vendors to confirm compliance with the 500 foot placement standard of the <u>Code</u>.</p>

As the result of this intercession by Diageo, CBS Outdoor is reviewing its placement of all beverage alcohol advertisements to ensure that those placements comply with Responsible Placement Provision No. 7 of the DISCUS Code. To that end, CBS Outdoor will not reinstall such placements until the entire plant (e.g., the locations of its outside signs) has been resurveyed to ensure compliance with the 500 foot placement standard of the Code.

CBS Outdoor's error in placing these advertisements has heightened its sensitivity to better managing the advertisements placed by that company on its billboards and we understand that CBS has taken steps to prevent such inappropriate placements from occurring in the future, including the actions set forth above.

Status:

Resolved: Responsive action taken.

Advertisement: Billboard advertisement for Smirnoff Black Cherry

Advertiser: Diageo (DISCUS member)

Complainants: Public Officials, San Francisco, California

Complaint Summary: Complainants believe that the location of a billboard advertisement for Smirnoff Black Cherry violates Responsible Placement Provision No. 7 of the DISCUS Code providing that “[b]everage alcohol advertising should not be placed on any outdoor stationary location within five hundred (500) feet of an established place of worship or an elementary school or secondary school except on a licensed premise.”

Code Review Board Decision: Immediately upon learning of this placement, the Code Review Board contacted Diageo, a DISCUS member that owns the Smirnoff brand to investigate and rectify any violations of the DISCUS Code. At that time, the Board learned that Diageo had already contacted CBS Outdoor to investigate the matter.

The Smirnoff Black Cherry outdoor advertisement identified by the complainants did not run afoul of the 500 foot provision of the Code. The complainants identified Glen Park Elementary School, which was not within 500 feet of the outdoor advertisement. Glen Park Elementary School is more than one full city block north and one-half block east of the intersection where the advertisement was placed.

Action by Advertiser: Prior to the receipt of the complaint, the advertiser had contacted CBS Outdoor about this placement and confirmed that the advertisement identified by the complainants was in compliance with 500 foot placement standard.

Status: Not applicable

Advertisements: Advertisements for Absolut Vodka, Smirnoff Vodka, Tanqueray Gin, Johnnie Walker Scotch Whisky, Canadian Mist Whisky, and Bacardi Rum on third-party websites

Advertisers: Brown-Forman Corporation (DISCUS member)
The Absolut Spirits Company, Incorporated (DISCUS member)
Diageo (DISCUS member)
Bacardi U.S.A., Inc. (DISCUS member)

Complainant: Third-party group, Washington, D.C.

Complaint Summary: Complainant believes that, during the second and third quarters of 2006, Absolut Vodka, Smirnoff Vodka, Tanqueray Gin, Johnnie Walker Scotch Whisky, Canadian Mist Whisky, and Bacardi Rum placed advertisements on websites whose average page views compositions exceeded 30 percent for ages 2-20.

In addition, the complainant believes that two websites used by Absolut, MySpace.com and SparkNotes.com, had average page views compositions for ages 2-20 of greater than 50 percent. According to the complainant, “[u]sing 'unique audience' (the total number of individuals who visited any part of a site at least once in a given month, with repeat visits not counted), it appears that Canadian Mist Whisky, Johnnie Walker Scotch Whisky, Smirnoff Vodka, Absolut Vodka, and Tanqueray Gin all placed ads on websites whose average unique audience compositions exceeded 30 percent for ages 2-20.”

Code Review Board Decision: Upon receipt of the complaint, the Code Review Board undertook an investigation, which revealed the following. First, in seven of the 17 websites identified by the complainant, the spirits advertiser did not place brand advertising on those websites. In fact, the advertising on one website was for a non-beverage alcohol product.

Second, for six of the remaining 10 websites identified by the complainant, the advertiser used a “registered” database provided by the website or otherwise available to direct their advertising to 21 years of age and older viewers when quarterly syndicated data for the website did not indicate a 70% 21 years of age and older demographic. (The Nielsen data used by the complainant only track the entire universe of viewers. These data do not track advertising placements available only for viewers 21 years of age and older.)

Third, the other four websites identified by the complainant had a demographic that exceeded the 70% demographic standard, as well as the Nielsen average monthly unique site audience data referenced by the complainant. A more specific discussion of these points follows.

Regarding the complainant's references to “Bacardi Rums,” the advertisements that appeared on the Tickle.com website were not for Bacardi beverage alcohol products but were for Bacardi Mixers, non-beverage alcohol products, and were placed by Coca-Cola/Minute Maid. Both of these advertisements clearly state in their text that the products are “NON-ALCOHOLIC MIXERS.”

Regarding the complainant's references to "Canadian Mist Whisky," Brown-Forman, the brand owner, did not place any advertising on any of the websites noted in the complainant's letter. In fact, one of the websites noted by the complainant in that regard, AddictingGames.com, does not accept and never has accepted any beverage alcohol advertising. Brown-Forman placed Canadian Mist advertising in 2006 on four websites all of which exceeded the 70% 21 years of age and older demographic audience placement provision of the DISCUS Code: Military.com; MSN.com (the FoxSports and Lifestyle channels); SportsIllustrated.com; and BlackAmericaWeb.com.

Regarding the complainant's references to "Absolut Vodka," The Absolut Spirits Company, Incorporated, the brand owner, did place advertising on MySpace.com; however, they used the "registered user" database provided by that website that excludes under 21 years of age viewers, all of whom must register their date of birth before accessing MySpace.com. Using this "registered user" database, the advertisements did not appear on any of the registration pages or pages that can be seen prior to registration and were accessible to those registered users who indicated they were 21 years of age and older.

Nielsen does not take into account this information in its data. Consequently, the demographic audience data used by the complainant has no bearing concerning advertisements placed on "registered users" webpages. This situation is akin to "subscription-only" editions of magazines where the MRI demographic data only indicate the general readership audience for the "newsstand" edition of those magazines.

Absolut did not place any advertising on SparkNotes.com. Absolut did place advertising on CarDomain.com and RedOrbit.com. The Nielsen//NetRatings data for unique site audiences of these websites exceeded the 70% 21 years of age and older demographic audience placement provision of the DISCUS Code when placing these advertisements.

Regarding the complainant's references to "Johnnie Walker Scotch Whisky," Diageo, the brand owner, used ValueClick, Inc., an integrated online marketing company that places media buys with websites having small audiences, remnant space and/or no advertising sales force, to place Johnnie Walker Scotch advertisements on the websites noted in the complaint. ValueClick used the website's 21 years of age and older registered user database and/or its own "21 plus" internal filter in placing these advertisements where the website's unique site audience did not meet the Code's 70% placement standard and, as such, 21 years of age and older users accessed the advertisements.

Regarding the complainant's references to "Smirnoff Vodkas," advertisements for these brands also were placed by ValueClick using the website's 21 years of age and older registered database and/or its own "21 plus" internal filter for the websites noted in the complainant's letter that did not meet the 70% demographic placement standard. Consequently, these advertisements also only were accessible to registered users 21 years of age and older.

Regarding the complainant's references to "Tanqueray Gin," no advertising for this brand was placed on the websites noted by the complainant. Tanqueray Gin was not advertised on IGN.com or GameSpyNetwork.com; however, advertising for this brand was placed on AskMen.com that had a unique site audience that exceeded the 70% 21 years of age and older demographic audience placement provision of the Code.

After careful deliberation, the Code Review Board did not find a violation of the DISCUS Code.

Action by Advertisers:

None required

Status:

Not applicable

Advertisements:

The Knot website advertisements

Advertiser:

William Grant & Sons, Inc.
(Non-DISCUS member)

Complainant:

Industry member

Complaint Summary:

Complainant believes that the three video advertisements posted on The Knot website: “A Binding Agreement,” “A Proper Toast” and “How to Drink” violate the DISCUS Code. Specifically, the complainant believes that the “A Binding Agreement” video (where the actor is using lewd language that has been edited out) violates Responsible Content Provision No. 23, which provides that “[b]everage alcohol advertising and marketing materials should not contain any lewd or indecent images or language.”



Complainant believes that the video “A Proper Toast” (where it appears that the actor is pouring the beverage alcohol into a tumbler rather than a shot glass) violates Responsible Content Provision No. 13, which provides that “[b]everage alcohol advertising and marketing materials should not depict situations where beverage alcohol is being consumed excessively or in an irresponsible manner.”

Complainant believes that the video “How to Drink” (where the actor appears to be spitting into a shot glass) violates Responsible Content Provision No. 21, which provides that “[b]everage alcohol advertising and marketing materials should reflect generally accepted contemporary standards of good taste.”

Code Review Board Decision:

In responding to the complaint about the “A Binding Agreement” advertisement, the advertiser stated that all the precautions were taken to edit out any lewd language without losing the intended humor and spirit of the advertisement. Nevertheless, the advertiser understood the reason for the complaint and noted that any future executions of the advertisement will be revised accordingly and withdrew the “A Binding Agreement” advertisement from the website.

In responding to the complaint about the “A Proper Toast” advertisement, the advertiser disagreed with the complainant stating that “[t]he drinking vessel is clearly a 'shot glass' as the scale is shown in both his hand (the glass is the height of three of his fingers) and at the end of the ad where the glass is shown next to the bottle, clearly identifying it as a 'shot glass.'”

In responding to the complaint concerning the “How to Drink” advertisement, the advertiser “believe[s] the obvious 'parody' nature of the spot does not cause any offense or reflect badly on generally accepted contemporary standards of good taste.”

After careful deliberation of the complaint, the advertiser's response and the provisions of the DISCUS Code, the Code Review Board found that the "A Binding Agreement" advertisement, with its foul "bleeped out" language, violated the Code and more particularly Responsible Content Provision No. 21 providing that "[b]everage alcohol advertising and marketing materials should reflect generally accepted contemporary standards of good taste."

With regard to the "A Proper Toast" advertisement, the Board did not find a violation of the Code. With regard to the "How to Drink" advertisement, the Board found the advertisement to be in violation of Responsible Content Provision No. 21. In particular, the Board found the composition of the advertisement, with the spitting in the glass, to be both demeaning and in poor taste.

Action by Advertiser:

Upon receipt of the complaint, the advertiser pulled down the entire website while the complaint was reviewed internally. Once notified of the Board's decision regarding the "A Binding Agreement" and "How to Drink" advertisements, the advertiser withdrew the advertisements.

Status:

Resolved: Responsive action taken.

Advertisements: Absolut, Grey Goose and Svedka Vodka advertisements in Portfolio

Advertisers: The Absolut Spirits Company, Incorporated (DISCUS member)
Bacardi U.S.A., Inc. (DISCUS member)
Barton Incorporated (DISCUS member)

Complainant: Industry member

Complaint Summary: Complainant believes that the Grey Goose, Svedka and Absolut Vodka advertisements that appeared in Portfolio, a maiden publication, run afoul of the unmeasured magazine initiative of the Code's placement guidelines for general circulation magazines not measured by a syndicated data source by requiring third-party independent demographic surveys of those magazines and provides in pertinent part that “[a] demographic survey of subscribers should be conducted...for new magazines before consideration of an advertisement placement.”

Code Review Board Decision: In responding to the complaint, the advertisers provided information regarding a third-party survey of Portfolio subscribers that was conducted prior to the placement of the above-referenced advertisements. To that end, in 2006, extensive direct mail efforts for the new magazine were undertaken. As a result of these direct mail efforts, individuals subscribed to Portfolio, though the publication was not launched until May 2007. A third-party survey was conducted of these actual Portfolio subscribers. This survey showed that over 70% of the actual subscribers to Portfolio were 21 years of age or older.

Based upon the facts of this third-party survey conducted of actual Portfolio subscribers prior to the placement of the above-referenced advertisements, the DISCUS Code Review Board did not find a violation of the DISCUS Code.

Action by Advertisers: None required

Status: Not applicable

Advertisement:	Svedka Vodka print advertisement	
Advertiser:	Barton Incorporated (DISCUS member)	
Complainant:	Industry member	
Complaint Summary:	<p>Complainant believes the advertisement violates Responsible Content Provision No. 21 of the <u>Code</u>: “Beverage alcohol advertising and marketing materials should reflect generally accepted contemporary standards of good taste;” Responsible Content Provision No. 22: “Beverage alcohol advertising and marketing materials should not degrade the image, form, or status of women, men, or of any ethnic, minority, sexually-oriented, religious, or other group;” Responsible Content Provision No. 23: “Beverage alcohol advertising and marketing materials should not contain any lewd or indecent images or language;” and Responsible Content Provision No. 25: “beverage alcohol advertising and marketing materials should not rely upon sexual prowess or sexual success as a selling point for the brand.”</p> <p>In particular, with regard to the good taste provisions of the <u>Code</u>, the complainant believes that the robotic model pictured in the advertisement is indecent and the language used in the advertisement, “Gay men still prefer Svedka over sex with women,” is in poor taste and is degrading to the sexual orientation of individuals and is overly sexual in its nature. In addition, the complainant believes that both the model featured in the advertisement and the tagline rely upon sexual prowess as a selling point for the brand. Complainant believes that the advertisement promotes indecent images of women and indecent language regarding sexual orientation and sex in general.</p>	
Code Review Board Decision:	<p>In responding to the complaint, the advertiser stated that the advertisement, which featured a robotic model with the tagline “Gay men still prefer Svedka over sex with women” campaign was intended as a parody. In the advertiser’s view, the tagline does not abridge the good taste provision of the DISCUS <u>Code</u> and is in keeping with other advertising materials in the marketplace. In addition, the robotic model featured in the advertisement also conforms to contemporary standards.</p> <p>After careful deliberation, the Code Review Board found the tagline “Gay men still prefer Svedka over sex with women” to be in violation of Responsible Content Provision No. 21, but did not find that the tagline abridged the other provisions of the <u>Code</u> referenced above. The Board did not find the robotic model in the advertisement to be a violation of the <u>Code</u>.</p>	
Action by Advertiser:	In response to the Code Review Board's decision, the advertiser withdrew this advertising execution.	
Status:	Resolved: Responsive action taken.	

Advertisement: Svedka Vodka PerezHilton.com banner advertisement

Advertiser: Barton Incorporated (DISCUS member)

Complainant: Industry member

Complaint Summary: Complainant believes the banner advertisement violates Responsible Content Provision

No. 21 of the Code: “Beverage alcohol advertising and marketing materials should reflect generally accepted contemporary standards of good taste;” Responsible Content Provision No. 22: “Beverage alcohol advertising and marketing materials should not degrade the image, form, or status of women, men, or of any ethnic, minority, sexually-oriented, religious, or other group;” Responsible Content Provision No. 23: “Beverage alcohol advertising and marketing materials should not contain any lewd or indecent images or language;” and Responsible Content Provision No. 25: “beverage alcohol advertising and marketing materials should not rely upon sexual prowess or sexual success as a selling point for the brand.”



In particular, with regard to the good taste provisions of the Code, the complainant believes that the robotic model pictured in the advertisement with the tagline, “Did your private sex tape just go public?” is indecent and is in poor taste. In addition, the complainant believes that both the model featured in the advertisement and the tagline rely upon sexual prowess as a selling point for the brand. The complainant also queried the Board regarding the steps taken by the advertiser to meet the 70% adult demographic.

Code Review Board Decision: In responding to the complaint, the advertiser stated that the intent of the tagline was to be satirical and a parody in sync with the content of this website that showcases the strange antics of celebrities who attempt to shift blame for their conduct to others.

In responding to the complainant's query regarding steps taken by the advertiser to meet the 70% adult demographic, the advertiser stated that demographic data relied upon for this placement were from the 2007 Blog Reader Project survey of PerezHilton.com. The survey had 69,736 respondents and, according to the survey results, 87% of the respondents were 21 years of age or older.

After careful deliberation, the Code Review Board was unable to reach consensus regarding whether or not the tagline, “Did your private sex tape just go public?,” violates the DISCUS Code and forwarded that component of the complaint to the Outside Advisors. The Board did not find the robotic model in the advertisement to be a violation of the Code.

The Outside Advisors found the tagline to violate the Code because of its association between sex and the consumption of the product. Their collective rationale for this assessment was the connection between drinking and making a

sex tape and then losing the tape. For these reasons, the Outside Advisors found the tagline to be in violation of Responsible Content Provision No. 21, but did not find that the tagline abridged the other provisions of the Code referenced above.

Action by Advertiser:

In response to the Outside Advisors' decision, the advertiser withdrew this advertising execution.

Status:

Resolved: Responsive action taken.

Advertisement: Smirnoff Ice television commercial

Advertiser: Diageo (DISCUS member)

Complainant: Member of the public, Oceanside, California



Complaint Summary: Complainant believes that the advertisement runs afoul of Responsible Content Provision No. 3 of the DISCUS Code, which provides that “[b]everage alcohol advertising and marketing materials should not depict a child or portray objects, images or cartoon figures that primarily appeal to persons below the legal purchase age.”

Code Review Board Decision: In responding to the complaint, Diageo stated that they took care in developing the components of the advertisement to be in compliance with the DISCUS Code. The female model was depicted with both headgear and orthodontia to be in sync with the theme of the advertising execution: “Think of Everything.” The female model was 27 years old and, according to the American Association of Orthodontists, approximately 1,000,000 adults are receiving orthodontic treatment, almost a 40% increase over the last decade. Nevertheless, prior to receiving the complaint, the advertiser had revisited the content of the advertisement and withdrew the advertisement. The advertisement is no longer running.

After careful deliberation of the complaint, the Code Review Board did not find a violation of Responsible Content Provision No. 3 of the DISCUS Code because, based upon the Board’s assessment, the advertisement does not primarily appeal to persons below the legal purchase age.

The Board, however, did find a violation of Responsible Content Provision No. 7. Given the orthodontic headgear apparatus the female model is wearing together with her appearance, the Board found that the model appeared to be below the legal purchase age. Responsible Content Provision No. 7 provides that “[b]everage alcohol products should not be advertised or promoted by any person who is below the legal purchase age or who is made to appear to be below the legal purchase age.”

Action by Advertiser: The advertiser withdrew the advertisement and the advertisement is no longer running.

Status: Resolved: Responsive action taken.

Advertisement:

Jack Daniel's/"Mad Men"
AMC television series

Advertiser:

Brown-Forman Corporation
(DISCUS Member)

Complainant:

Third-party group,
Washington, D.C.

Complaint Summary:

Complainant believes that the television series violates several provisions of the DISCUS Code. For example, the complainant points to Responsible Content Provision No. 25 providing that "beverage alcohol advertising and marketing materials should not contain or depict graphic or gratuitous nudity; overt sexual activity; promiscuity; or sexually lewd or indecent images or language."



In reference to that provision of the Code, the complainant states that "[i]t is not clear from this limited clip if the drink in this scene is identified as Jack Daniel's, but this point is not particularly important, since Jack Daniel's is a sponsor of the entire series, and the entire series is, as the *New York Times* describes, 'branded entertainment'....The clip seems representative of the program, not exceptional, so it is likely not unique."

Code Review Board Decision:

In responding to the complaint, Brown-Forman informed the Board that the media reports upon which the complaint is based were inaccurate and mischaracterized the facts of Jack Daniel's arrangement with the upcoming "Mad Men" television program series. The full extent of Jack Daniel's arrangement is three product placements during the course of the program's 13 episodes.

This series is not Jack Daniel's "branded entertainment" as described in the complaint; the limited clip of the drink in the scene referenced therein is not Jack Daniel's; and Jack Daniel's is not the sponsor of the series. Brown-Forman stated that there is no sponsorship agreement between Jack Daniel's and AMC for the "Mad Men" television series. Jack Daniel's has no commercial arrangement with AMC for this series and the three product placements are all unpaid.

Jack Daniel's logo and the reference to "sponsorship" on the AMC "Mad Men" website was not authorized by Brown-Forman and Brown-Forman was unaware of these matters and, once aware, instructed AMC to remove these materials from the "Mad Men" website.

Brown-Forman also stated that the taping of the series itself is not complete and the product placements that will appear at some time over the 3-4 month airing of the episodes are not yet complete. Brown-Forman stated that it currently is envisioned that two placements will be audio references to Jack Daniel's (for example, an individual requesting a Jack Daniel's when ordering a drink) and one placement will be a visual (for example, it could depict a bottle of Jack Daniel's on a bar with other branded beverage alcohol products).

Further, Brown-Forman stated that, to date, filming is in process for only one of these placements. The other two placements remain in the conceptual phase. Brown-Forman stated that it has the right to reject any inappropriate or irresponsible use of their product and/or their brand name in keeping with the provisions of the DISCUS voluntary Code.

After careful deliberation of the complaint and the facts at hand, the Code Review Board concluded that it is premature to evaluate whether a product placement currently being filmed or a placement not yet in production is or is not consistent with the provisions of the Code.

Since the program has yet to air and the product placements have yet to be finalized, no one has seen how and where these product placements will appear; consequently, there is no visual or context upon which to evaluate these product placements. Any such action would be speculative. Consequently, the Board did not find a violation of the DISCUS Code. The Board respectfully notes that the complainant also appears to appreciate this fact; for example, with the statement “[w]e are limited in our ability to identify all the ways in the series violates the Code because it is not yet available for viewing.”

The Code Review Board encouraged the complainant to contact the Board should the complainant have any questions and/or concerns regarding the product placements when they air.

Action by Advertiser:

None required

Status:

Not applicable

BACKGROUND

HISTORY OF THE DISCUS CODE

Within months of the repeal of Prohibition, leaders in the distilled spirits industry approved their first voluntary Code of Responsible Practices. Throughout the decades, the Distilled Spirits Council's Code of Responsible Practices has embodied the high standards and commitment to responsibility that have been the touchstone of DISCUS member company advertising practices.

The provisions of the Code apply to every type of print and electronic media, including the Internet and any other on-line communications, used to advertise or market beverage alcohol. These provisions also apply to every type of promotional or marketing activity or event, including all product placements.

By this Code, DISCUS members hold themselves to a standard higher than mandated by any law or regulation. Since October 27, 1934, the distillers' voluntary Code has been revised and updated as the marketplace and technology have changed. For example, the Code was revised in 1998 to include specific provisions regarding websites and other on-line communications.

Similarly, as society and social mores have changed, the Code has evolved. To that end, enhanced Code changes to the responsible content provisions include:

- More explicit provisions prohibiting depictions of excessive drinking and use of sex as a selling point;
- Incorporation of responsible drinking statements in advertisements, marketing materials and promotional events, where practicable;
- Increased age requirement for models/actors in advertisements - must be at least 25 years old;
- Provision prohibiting advertising that associates drinking with “rite of passage” to adulthood;

Throughout its long history, the core principle of the voluntary DISCUS Code has been and remains to market our products to adults in a responsible and appropriate manner.

The Federal Trade Commission, the lead Federal agency

with advertising oversight, has commended the DISCUS Code on several occasions. In its September 2003 Report to Congress entitled “Alcohol Marketing and Advertising,” the FTC concluded that the distilled spirits industry's advertising is directed to adults and that the distilled spirits industry's self-regulatory measures are “rigorous” and effective. As part of the Report, the FTC also examined the Code Review Board process, finding that the Board's actions “provide a critical review of spirits company compliance with the DISCUS Code.”

Many of the latest enhancements to the 2003 Code were developed in response to the FTC's suggestions to improve the self-regulatory system. For example, the 2003 Code includes the following new provisions: a 70% adult (legal purchase age of 21 years and older) demographic; post-audits of advertisement placements; and the establishment of an outside advisory board as part of its compliance and complaint process.

In addition to member company internal and external training sessions, each DISCUS member has established an internal process to ensure compliance with the Code. Consistent with the provisions set forth in the Code, this process includes a separate review of advertising and marketing materials by a company employee who is not in the marketing department or who is not involved in the development of the advertising or marketing materials to the extent possible given a company's size and organizational structure.

The FTC also has pointed to the benefits of industry self-regulation, concluding that it is realistic, responsive and responsible; can deal quickly and flexibly with a wide range of advertising issues without the rigidity of government regulation; and is particularly suitable in light of the First Amendment issues that otherwise would be raised by government regulation of advertising.

DISCUS members are committed to the responsible placement and content of their brand communications. Towards this end, DISCUS members voluntarily pledge to conduct their advertising and marketing in accordance with the provisions of the Code. DISCUS members recognize that it is not possible to cover every eventuality and therefore agree to observe the spirit, as well as the letter, of this Code.

CURRENT DISCUS CODE AND ORIGIN OF PUBLIC REPORT

The enhanced Code, the result of a year-long review, reflects the determination of DISCUS member companies to be responsive to the changing technology and culture of modern times. The 2003 Code applies to all of the over 2,800 distilled spirits, beer and wine brands marketed by DISCUS members, and is followed by an increasing number of non-member distilled spirits marketers.

The 2003 Code also incorporates several revisions to its content provisions, including more precise language regarding the sexual content of advertising, and also continues many of its longstanding prohibitions, such as not advertising or marketing in college newspapers.

The October 2003 Code revisions provide, among other things, that beverage alcohol advertisements be placed only in media where at least 70 percent of the audience is reasonably expected to be 21 years of age and older, the legal purchase age.

To implement these standards, the Code Review Board prepared detailed guidelines for the placement of advertisements in various media and for periodic, random after-the-fact audits of past placements to verify compliance with the demographic standard.

Since October 2003, the Board has reviewed and fine-tuned these guidelines to address general circulation magazines not measured by a syndicated data source by requiring third-party independent demographic surveys of those magazines (effective October 1, 2006) and to provide for semi-annual audits of random past placements using one quarter of data where available. As described in a separate section of the Report, we now have a specific, detailed guideline for advertising and marketing materials placed on the internet/digital medium, effective January 1, 2008.

During this reporting period, we experienced an increase in queries regarding implementation of the guidelines to address general circulation magazines not measured by a syndicated data source, as well as an increased awareness of the guidelines in general. In that regard, we are being contacted more and more by individual magazines concerning how to comply with our protocol and we welcome these inquiries.

Consistent with our objective to direct our advertising to adults, DISCUS members have committed to the removal of their advertisements from the school library subscription copies of *Newsweek*, *People*, *Sports Illustrated*, *Time*, and *U.S. News & World Report* by securing special bindings of those publications, which we understand are the magazines most commonly subscribed to by school libraries. As a consequence, DISCUS member companies voluntarily will refrain from advertising on the inside and back covers of these magazines (premium advertising space), each of which exceeds the 70% demographic standard set by the DISCUS Code, if their covers cannot be segregated out for special bindings of school library subscription copies. This initiative became effective July 1, 2006 for subscription copies of these magazines destined for this venue.

Further, the Code provides for the issuance of Semi-Annual Reports. For decades the Code Review Board has effectively addressed complaints about distilled spirits advertising but the decisions were never made public and, as a consequence, the rigor of the Board's review process and adherence to the Board's decision were not widely known.

To make the distilled spirits industry's review process more transparent and understandable to the public, a decision was made in 2003 by DISCUS and its member companies to publish semi-annual public reports detailing complaints against specific advertisements, decisions of the industry's internal review board and actions taken by each advertiser.

This new transparency allows the public at large to better evaluate and appreciate our Code review process. In fact, industry regulators, watchdogs, critics, and the media have taken notice of the distilled spirits industry's approach to self-regulation, calling it a model for other industries, including food product manufacturers and the pharmaceutical industry.

In 2005, following the release of the first DISCUS Semi-Annual Report, the director of the FTC's alcohol advertising program told *The Washington Post* that self-regulation permits the spirits companies to "address things that couldn't be touched by a government agency because of the First Amendment." The director called this a "fabulous thing,"

noting that “[t]his is a far step above and beyond what other companies are doing.”

In June 2006, the Semi-Annual Report was the recipient of the best “Business Ethics Communications” award by *PR News* Corporate Social Responsibility (CSR) Awards. The CSR Awards honor corporations and their partners that have implemented and executed highly successful CSR campaigns in the last 12 months. *PR News* called the CSR Awards “the global standard in corporate citizenship and communications worldwide.”

In May of that same year, DISCUS also was named a finalist in the American Business AwardsSM Best Corporate

Social Responsibility Program” category for our public reporting system. The American Business AwardsSM program is the only national, all-encompassing business awards program honoring great performances in the workplace.

We believe we are the first private trade group representing American business to issue a report on the proceedings of how an industry regulates itself according to its internal Code. The overall objective of the Semi-Annual Reports is to encourage full compliance with the Code and Code Review Board decisions across the entire distilled spirits industry and to ensure our longstanding commitment to responsible advertising is understood.

INTERNET/DIGITAL BUYING GUIDELINE

Over the past several months, the DISCUS Code Review Board met with experts in the field, syndicated “internet” demographic data sources and various media companies to obtain their respective best thoughts in devising a “buying guideline” for this medium to implement the 70% 21 years of age and older demographic provisions of the Code. As a result of a host of meetings and discussions, the Board developed the internet/digital buying guideline set forth below that will apply to advertising and marketing materials placed on that medium on and after January 1, 2008. Placements on this medium also will be subject to the Code's provision for semi-annual after-the-fact audits of a random portion of past advertising/marketing placements. To the best of our knowledge, we are the first trade group to issue an internet/digital buying guideline that will be used across an entire industry.

The guideline was designed to anticipate many different scenarios and circumstances for the use of this medium. For example, for new websites not measured by a syndicated data source, the guideline provides that one could use the website's “registered user” database to place advertising or marketing materials to individuals 21 years of age and older viewing the website. Alternatively for new websites, the guideline provides for the option of obtaining from the publisher of the website an independent demographic survey using the most recent three-month site average of available audience data of unique visitors. If those options are not available, the bottom line would be no advertising on that new website. In many ways, the digital guideline is similar to the “unmeasured magazine” initiative whereby maiden/new publications intended for general circulation (even if it is a prototype of another magazine) require a third-party survey of subscribers before an advertisement placement. If there is nothing to measure, then there will be no ad placement pursuant to this Code initiative.

- i.) Scope: The internet/digital buying guideline applies to all paid and unpaid (including value-added) placements made by or under the control of the advertiser, including advertising on third-party websites, video advertisements, audio mentions, internet banners, pop-ups, sponsorships, user-generated content (including blogs), and other types of internet/digital advertising or marketing.
- ii.) Use of a syndicated data source: Purchase or place using “2 +” syndicated audience composition data, such as comScore or Nielsen//NetRatings, based upon the most recent three-month site average of available audience data of unique visitors (where seasonal fluctuations are evident, prior year data also should be taken into account if available).
 - (a) An advertiser consistently will use one of these syndicated data sources as its primary demographic measurement by brand and an alternate syndicated data source will be used only when the advertiser's primary source does not measure that particular medium.
 - (b) Given that the methodologies and measurements of internet/digital media are evolving, this data source guideline will be reviewed as further developments warrant and, if appropriate, revised accordingly.
- iii.) Independent measurement of unmeasured medium: If the digital medium is not measured by a syndicated data source, the advertiser prior to purchasing or placing an advertisement or any marketing materials shall obtain from the publisher of the medium an independent demographic survey based upon the most recent three-month site average of available audience data of unique visitors conducted by a third-party research company using established research methods.
- iv.) More specific data to meet the demographic standard: Where the average of the syndicated audience composition data or an independent third-party survey over the three-month time period (as described in subsection iii above) does not show a 70% 21 years of age and older (LPA) demographic, the advertiser can use the website's “registered user” database to place their advertising or marketing materials to users 21 years of age and older if the website has that capability.

- v.) Unmeasured medium with a “registered user” database: If the digital medium is not measured by a syndicated data source or an independent third-party survey as described in subsection iii above, but has a “registered user” database that can link a user to an age, the advertiser can use the website’s “registered user” database to place their advertising or marketing materials to users 21 years of age and older.
- vi.) “Limited edition” websites: For “one-time” only, event-specific and/or other similar websites, the advertiser shall review and evaluate comparable websites, the proposed content of the website in question, data provided by the publisher regarding the target audience, and any other relevant factor to project a reasonable expectation of the demographic audience prior to purchasing or placing an advertisement or any marketing materials.
- vii.) Compliance standard: A placement will be considered appropriate when the percentage of unique visitors reflected in the above-referenced data show that the placement is in compliance with the Code.
- viii.) Post audits: A past placement will be considered appropriate where demographic data for the month(s) in which the placement ran show an LPA audience composition that was in compliance with the Code.
- ix.) Post audit corrective measures for future placements: In the event that the post audit indicates that the placement did not meet the LPA demographic standard, the advertiser will, as soon as practicable, make schedule adjustments, cancellations, or other appropriate changes to comply with the standard in future placements.

CODE REVIEW BOARD PROCESS

Unique within the beverage alcohol industry, the DISCUS Code provides for a Code Review Board that is charged with reviewing complaints about advertising material in the marketplace.

Historically, the Code Review Board process has worked as follows:

- When a complaint is received, the Code Review Board notifies the advertiser and convenes usually by conference call to exchange views and deliberate upon the advertisement in question.
- The complainant often requests not to be identified. Each Code Review Board member describes his/her views regarding the advertisement and casts a vote concerning whether the advertisement is or is not a violation of the Code.
- If the Code Review Board finds a particular advertisement violates the Code's provisions, the advertiser is so informed either orally or in writing.
- Responsive action from the advertiser generally occurs quickly so that, if a change is required, the advertisement in question is either withdrawn or revised forthwith.
- The Code Review Board's decision and the advertiser's response will be summarized in the Semi-Annual Report.

The process described above will continue to be used for any complaints questioning DISCUS member company advertising and/or marketing materials.

The following procedures are utilized for any complaints involving distilled spirits advertising and/or marketing materials by non-DISCUS members:

- The staff liaison for the DISCUS Code will notify the advertiser of the complaint.
- The advertiser has 15 business days to respond and is invited to participate in the Code Review Board's deliberation of the complaint. (DISCUS members are expected to respond forthwith and also are invited to participate in the Board's deliberations. Board members have no vote upon complaints lodged against their advertisements.)
- The Code Review Board will convene to consider the complaint and the advertiser's response, and render a decision. The Code Review Board will proceed in its deliberations even if the advertiser has not responded after the time period noted above.
- The advertiser is notified of the Board's decision in writing and the Board is available to answer questions or assist with compliance.
- The Code Review Board's decision and the advertiser's response will be summarized in the Semi-Annual Report.

The process described above is subject to change and may be revised from time to time.

For member company advertisements, historically the average time between receipt of a complaint and Code Review Board action has been a matter of days, but could take up to two to four weeks, a timeframe that also included responsive action by the advertiser. At present, the response time from receipt of a complaint to final resolution is on average less than a week. For non-DISCUS member companies, the process could take up to two months.

HOW TO FILE A COMPLAINT

If you have any questions regarding the Code of Responsible Practices for Beverage Alcohol Advertising and Marketing or a concern about a particular advertisement or marketing material subject to the Code, please contact the DISCUS Code Review Board, c/o Lynne Omlie, 1250 Eye Street, N.W., Suite 400, Washington, D.C. 20005 or email Lynne Omlie, the DISCUS Code Review Board staff liaison, at lomlie@discus.org.

We request that complaints be made in writing, identify the provisions of the Code in question and provide an explanation for the basis of the complaint. The advertisement and/or marketing materials in question should be appended to the complaint to ensure that it is processed properly and expeditiously.

To access the DISCUS Code and its provisions:
<http://www.discus.org/responsibility/code/read.asp>

CODE REVIEW BOARD

The Code Review Board is comprised of senior member company representatives elected by the DISCUS Board of Directors, and is chaired by one of those representatives, with DISCUS acting as the staff liaison. The current members of the Code Review Board are:

- Ms. Carolyn L. Panzer, Chairperson, Diageo
- Ms. Mary E. Barrazotto, Brown-Forman Corporation
- Mr. John R. Frank, Sidney Frank Importing Co., Inc.
- Mr. Michael Lurie, Barton Incorporated
- Mr. Thomas R. Lalla, Jr., Pernod Ricard USA
- Mr. Matt Stanton, Future Brands LLC
- Mr. Frederick J. Wilson, III, Bacardi U.S.A., Inc.

The main function of the Code Review Board is to review complaints and inquiries about particular advertising and/or marketing materials in terms of whether their content and placement are consistent with the Code's provisions. This undertaking not only encompasses DISCUS members' advertisements, but also extends to all distilled spirits advertising and/or marketing in the United States.

The Code Review Board also periodically reviews the Code to ensure that the Code's provisions reflect the evolving marketplace, technological changes and current social mores. Suggested revisions and/or expansions to the Code are offered and made consistent with the overriding principle of the Code — to market our products to adults in a responsible and appropriate manner.

OUTSIDE ADVISORY BOARD

The DISCUS Code provides for an Outside Advisory Board charged with the following functions: (1) to provide confidential, nonbinding guidance to DISCUS members about draft advertising copy and/or marketing materials prior to execution concerning whether these draft materials would be consistent with the Code (i.e., pre-vetting advice); and (2) to serve as tie-breakers in the event the Code Review Board cannot reach a majority decision about a particular advertisement or promotional execution under review.

Our three outside advisors are distinguished experts from government, academia and broadcasting:

Ms. Joan “Jodie” Bernstein, currently with the Washington, D.C. law firm Bryan Cave, has a distinguished history of government service. Ms. Bernstein served as Director of the Federal Trade Commission's Bureau of Consumer Protection from 1995 to 2001, where she was involved in every facet of advertising for the goods and services sold in the United States. Ms. Bernstein most recently was appointed to undertake a complete review of the Self-Regulatory Guidelines for the Children's Advertising Review Unit (CARU) of the Council of Better Business Bureaus.



During her tenure at the FTC, Ms. Bernstein oversaw the FTC's 1999 Report to Congress on alcohol advertising and self-regulation. Ms. Bernstein was the leading force in creating the National Advertising Review Council of the Better Business Bureaus, established in 1971 to review advertising copy to ensure that it is truthful and accurate.

Dr. Constantine “Deno” Curris, a leader among academic administrators, currently serves as the President of the American Association of State Colleges and Universities, a national association of over 400 public colleges and universities. AASCU, founded in 1965, is governed by an elected board of 15 university presidents and chancellors.



Dr. Curris has 41 years of service in higher education, including serving as President of Clemson University for over four years, University of Northern Iowa for 12 years and Murray State University in Kentucky for 10 years. Dr. Curris is a strong advocate for public higher education and its students, and a proponent of the qualitative strengthening of higher education institutions in order to meet public needs and expectations in the 21st Century. He has been and is actively engaged in addressing problems of alcohol abuse among college students.

Mr. Richard P. Gitter is a former network executive with 34 years of experience in the broadcast industry, including 25 years overseeing network advertising standards and compliance. Most recently, Mr. Gitter served as Vice President, Advertising Standards and Program Compliance for NBC where he reviewed commercials and programming to ensure compliance with Federal regulations and network policies. Mr. Gitter is a former member of the Board of Directors of the Council of Better Business Bureaus and the Radio Code Board of the National Association of Broadcasters.



RECENT OUTREACH ACTIVITIES

The major focus of Code Review Board activities during the period covered by the Report continues to involve outreach efforts about the provisions of the Code. These efforts were directed at familiarizing all interested parties with the Code and increasing awareness of the Code and the Code Review Board complaint process.

Over 1,000 copies of the fifth Semi-Annual Report published in February with explanatory materials were sent to State Alcohol Beverage Control officials, the Attorneys General of each State, officials at colleges and universities across the country, Federal agency officials, members of Congress, State legislators, industry trade association leaders, non-DISCUS member distillers, other industry members, health officials, and advocacy groups. Additionally, materials regarding the Code and the Semi-Annual Report were sent to nearly 100 non-DISCUS member micro-distilleries to familiarize them with the provisions of the Code and the Code Review Board process.

These outreach efforts were supplemented by personal visits and presentations to various groups, such as meetings with the National Conference of State Liquor Administrators (NCSLA), the National Alcohol Beverage Control Association (NABCA), government officials on both the Federal and State levels, and various industry trade association leaders.

To date, eleven State Alcohol Beverage Commissions have the DISCUS website link on their websites, as do NCSLA and NABCA, and the Commonwealth of Pennsylvania has the DISCUS Code link on its website. The FTC also references the DISCUS Code on its new “We Don't Serve Teens” website (<http://www.dontserveteens.gov>). By linking to the DISCUS website or hyperlinking directly to the DISCUS Code, it is easier for government officials and other interested parties to refer any inquiries or concerns about a particular advertisement to the DISCUS Code Review Board. To facilitate this process, we have provided language to utilize in linking to the DISCUS Code.

We continue to urge Federal and State officials and other interested parties to include the Code (<http://www.discus.org/responsibility/code.asp>) on their websites. If an individual has a concern about a particular advertisement for a beer, wine or distilled spirits brand marketed by a DISCUS member or a distilled spirits advertisement of a non-DISCUS member, the Code Review Board welcomes the opportunity to review that advertisement.

DISTILLED
SPIRITS
COUNCIL
OF THE
UNITED
STATES

www.discus.org

1250 Eye Street, N.W., Suite 400
Washington, D.C. 20005
Phone: 202/628-3544
Fax: 202/682-8877