



May 7, 2019

Mayor Bill de Blasio  
City Hall  
New York, NY 10007

RE: Alcohol Advertising Ban on New York City Property

Dear Mayor de Blasio,

I am writing on behalf of the Distilled Spirits Council of the United States and its member companies regarding your recent Executive Order to ban alcohol advertising on city property.

The Distilled Spirits Council is a national trade association representing producers and marketers of distilled spirits sold in the United States. A significant number of our member companies are either headquartered or have offices in New York City, and all members have responsibly advertised their brands within the city limits.

We urge you to lift the ban on alcohol advertisements based on decades of scientific research that show that alcohol advertising does not cause someone to begin drinking or to abuse alcohol.

This is also supported by real world evidence in New York, where underage drinking has declined by more than 35 percent over the last 10 years and binge drinking is at an all-time low. Alcohol use disorders among New York adults are also at historic lows, according to federal data.

The research is clear – parents and other adults are the most influential factors in a youth's decision whether or not to drink alcohol, not advertising. The assertion that alcohol advertising causes underage drinking is based on highly-flawed advocacy-driven "research" that has been refuted by advertising experts in the scientific community.

Consider, for example, a study from the University of Texas that analyzed the relationship between annual alcohol advertising expenditures and per capita sales of beer, wine and spirits in the United States from 1971-2012. It showed that over a 40-year span, per-capita alcohol consumption remained essentially constant, with changes occurring only between the three beverage alcohol categories – beer, wine and distilled spirits. Conversely, during the same timeframe, alcohol advertising media expenditures increased almost 400 percent.

The University of Texas researchers concluded that advertising is a means to gain market share and "proposals to restrict or curtail truthful, commercial messages about a legal product work against rational public policy." The researchers also underscored that "outcomes of this study can be used to inform relevant public policy discussions regarding alcohol beverage advertising."

These conclusions are further supported by research conducted by Dr. Jon Nelson, Professor Emeritus of Economics at Penn State University, who has studied the effects of advertising for more than 30 years. In a review of 20 longitudinal studies, which purported to show that advertising causes youth drinking, Dr. Nelson found “significant econometric and statistical problems, which preclude a causal interpretation.”

In the review, published in the International Journal of Environmental Research and Public Health, Dr. Nelson concluded, “[T]he important lessons from this review are that, first, studies using longitudinal surveys have not established that advertising is a causal factor for youth drinking...and, second, these studies cannot be used to support recommendations for advertising and marketing bans.”

The nation’s distillers are committed to responsible advertising and have a proud and proven history of successful self-regulation through our industry’s Code of Responsible Practices. The Federal Trade Commission (FTC), the lead federal agency charged with consumer protection, has reviewed alcohol advertising on several occasions and has concluded that distilled spirits advertising is directed to adults and that the industry’s self-regulatory measures are “rigorous” and effective. In fact, the FTC has pointed to the distilled spirits industry’s rigorous approach to self-regulation as a model for other industries.

The nation’s distillers are also strongly opposed to underage drinking and are longstanding in their commitment to evidence-based programs that address this important social problem. To that end, we have supported programs and initiatives in partnership with public and private organizations on the federal, state and local level to effectively combat underage drinking.

Since 2012, Baltimore, Charlotte, Chicago, Washington, D.C., and Boston have all repealed their public transit alcohol advertising bans with each city experiencing no negative effects. We urge you to reconsider your ban on alcohol advertising on city property. Advertising bans simply divert attention from solutions that work to combat alcohol abuse and underage drinking. They are ineffective, misguided and unsupported by the scientific research.

On behalf of the distilled spirits industry, we stand ready to work with New York City’s government leaders and stakeholders to continue progress in reducing underage drinking. I would appreciate any opportunity to meet with City officials to discuss further.

Sincerely,



Chris R. Swonger  
President and CEO

Cc: Dr. Herminia Palacio, Deputy Mayor for Health and Human Services  
Dr. Oxiris Barbot, New York City Health Commissioner

# New York Alcohol Abuse Data

## New York NSDUH Data

(12 to 20 Year-Olds)

## Alcohol Use Disorder

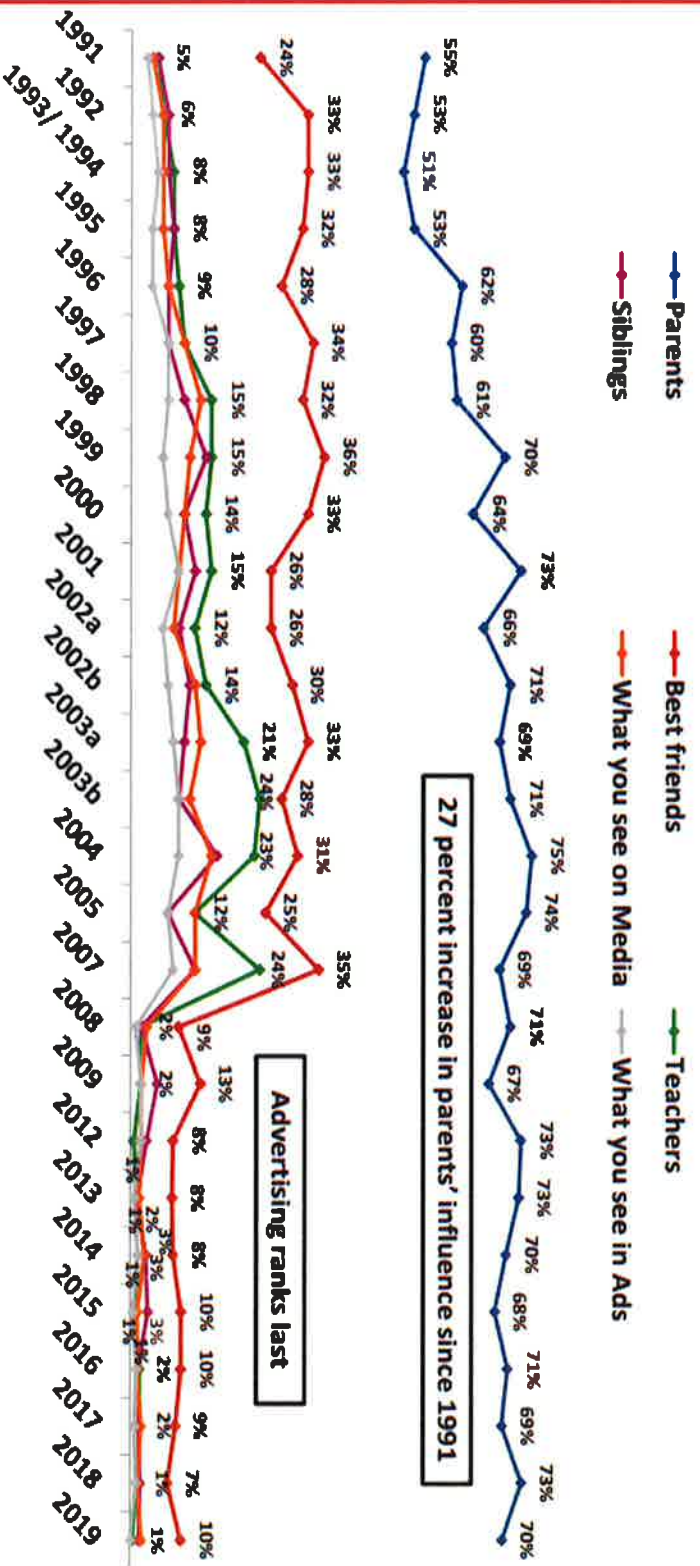
Year	Binge	Past Month	Year	12 or Older	12-17	18 or Older	18-25	26 or Older
2004	21.2%	32.0%	2004	6.7%	5.5%		15.8%	5.4%
2005	21.2%	31.4%	2005	6.9%	5.4%		17.0%	5.4%
2006	20.7%	31.3%	2006	7.0%	5.3%		16.7%	5.6%
2007	20.1%	32.1%	2007	6.7%	4.7%		15.7%	5.4%
2008	20.1%	31.5%	2008	7.1%	4.8%		17.0%	5.6%
2009	20.1%	32.0%	2009	7.9%	5.3%		18.1%	6.4%
2010	19.2%	31.6%	2010	7.4%	5.0%		16.6%	6.0%
2011	18.3%	29.9%	2011	6.6%	4.1%		14.5%	5.6%
2012	17.7%	29.5%	2012	6.6%	3.6%		13.0%	5.8%
2013	15.8%	26.8%	2013	6.6%	3.2%	6.9%	12.9%	5.9%
2014	14.0%	24.4%	2014	6.6%	2.7%	7.0%	11.9%	6.1%
2015	0.0%	24.7%	2015	6.4%	2.5%	6.8%	11.6%	6.0%
2016	15.4%	23.2%	2016	6.1%	2.2%	6.4%	11.2%	5.6%
2017	13.4%	20.6%	2017	5.7%	1.8%	6.0%	9.8%	5.4%

Source: National Survey on Drug Use and Health

# Youth Report

## Influences on Youth Decisions about Drinking

Parents Have Been the Strongest Influence on Teens Ages 13-17 for 28 Years



Source: Ipsos Public Affairs (Formerly GfK Roper Youth Report), Americans age 13-17. Notes:  
 2008-2019: Media includes TV, radio, magazines, and Internet; 1991-2007: Media included TV only  
 1999 and 2001 surveys allowed the unaided response "no one/just know." Therefore, they cannot be compared to other years' data points.  
 Starting in 2008, respondents could only choose one answer option for this question.  
 Question: Which people or things, besides yourself, influence you the most or give you the best ideas about each of the following items?...Whether you drink alcohol or not