

Help Note

Health, Diet and Nutritional Claims in Radio Alcohol Advertisements



BCAP Help Notes offer guidance on the interpretation of BCAP's Advertising Codes. BCAP intends the Help Notes to help advertisers, agencies and broadcasters interpret the Codes but they are not a substitute for those Codes. For further advice on specific radio advertising proposals or scripted advertisements, you should consult either the Ofcom radio licensee or the copy clearance body for radio, the RACC, on 0207 306 2620 or via www.racc.co.uk.

This Help Note advises on the interpretation of Radio Advertising Standards Code rule 11.3.1 on diet and health claims in alcohol advertisements. Note that advertisements for alcoholic drinks must be centrally copy cleared by the RACC.

Rule 19.18

Advertisements for alcoholic drinks may give factual statements about product contents, including comparisons, but must not make any health claims, which include fitness or weight-control claims.

The only permitted nutrition claims are “low alcohol”, “reduced alcohol” and “reduced energy” and any claim likely to have the same meaning for the audience.

Notes

1. The starting point is whether a health or beneficial nutrition claim is being made. For example words such as 'light' or 'lite' may in context clearly relate only to flavour or colour, and not to nutrition and so rule 19.18 would not apply
2. If made, numerical statements of the number of calories per unit should be made clear.
3. **Health claims**, including fitness, exercise or weight control claims, are not permitted.
4. **Nutrition claims** are acceptable only if referring to low alcohol levels, or the reduction of the alcohol content, or the reduction of energy content. So claims such as “light” or “lite” (referring to alcohol content) or “reduced calories” are permissible. Numerical statements of calorie or carbohydrate content should not be qualified, for example by words such as “only”. Claims such as “reduced sugar”, “half sugar” or “reduced/low carbohydrate” are not acceptable, since they are not energy claims.
5. Factual comparisons relating to permitted nutrition claims may be made either “internally”, between an advertiser's products (for example, if the calorie content has been reduced or is different from another product in the range) or between the advertiser's product and competitor products. In order not to mislead, the reduction or difference should be significant. In the case of a reduced energy claim, the energy value should be reduced by at least 30% and should be accompanied by a clear statement of the number of calories per unit of alcohol. If a comparison is made, the comparison must take into account a range of foods in the same category, and the difference in energy value must be stated.

6. If a trade mark or brand name on its own implies an impermissible nutrition claim for an alcoholic drink, the advertisement should include a related permissible nutrition claim as described above. Trade marks or brand names cannot be used if they may be construed as making a health claim for an alcoholic drink.

7. For health and nutrition claims for foods generally, advertisers should refer to Regulation (EC) 1924/2006. Article 4(3) concerns alcoholic drinks. Transitional provisions may apply, for example for pre 1 January 2005 brand names. Advertisers will be expected to be in a position clearly to establish the applicability of any transitional provision.