

announcements concerning the risk of loss of coordination or alertness from irresponsible consumption, such as initiatives that work to combat drunk driving.

- Portray sexual promiscuity or other sexual activity as resulting from beer consumption.
- Refer positively to intoxicating effects of beer.
- Show littering or otherwise improper disposal of beer containers. Excepted from this are public service announcements promoting anti-littering and/or recycling initiatives.

## Beer Distributor Promotional Activities and Marketing Should Be Truthful

Beer wholesaler marketing should be truthful and not misleading, with regard both to statements made and implied. In particular:

- Beer distributor promotions and marketing should not unfairly exaggerate qualities of beer.
- There should be no claim or representation that beer consumption is necessary to obtain social, professional, educational, athletic or financial success or status, or to solve social, personal or physical problems.
- Product comparisons should be truthful, substantiated and focused on characteristics meaningful to consumers.
- Beer distributor marketing and communications efforts should comply with legal standards regarding truthful advertising and marketing.

## Beer Distributor Promotional Activities and Marketing Should Be in Good Taste

In addition to complying with all applicable state and federal laws, beer distributor marketing should reflect generally accepted contemporary standards of good taste. It should not, for instance, contain lewd or indecent language or images.

## NBWA and the Code

NBWA exists to provide leadership that enhances the independent beer distribution industry; to advocate before government and the public; to encourage the responsible consumption of beer; and to provide programs and services that benefit its members. NBWA and its members seek to educate the public and policymakers on issues that affect beer distributors and their role in communities nationwide. It is in furtherance of its mission that NBWA has created this Code.

In addition to complying with laws regulating alcohol practices, NBWA members are asked to commit voluntarily to the principles set forth in the Code. A copy of the Code shall be given to each NBWA member for dissemination to its personnel, its customers and any outside agencies whose responsibilities include promotional activities, marketing or related public communications on its behalf.



For questions or comments regarding this Code, please contact NBWA at (800) 300-6417. The Code is available on the NBWA website at [www.nbwa.org](http://www.nbwa.org). For more information about NBWA, please visit [www.nbwa.org](http://www.nbwa.org).

# NATIONAL BEER WHOLESALE ASSOCIATION

## Marketing & Communications Code



The National Beer Wholesalers Association (NBWA) and its members are committed to ensuring that the licensed beverages they provide are enjoyed legally, responsibly and safely while remaining consistent with respective state and federal laws. NBWA's promotional and marketing efforts are designed with these aims in mind. Responsible marketing can be an effective means of encouraging appropriate consumption of licensed beverages and informing consumers of the tremendous selection of beverage products available to them. NBWA also recognizes the important role communications can play in discouraging irresponsible consumption of alcohol, including illegal underage purchase and consumption, excessive drinking and drunk driving.

While the laws that govern the licensing and practices of beer distributors are paramount, this Marketing & Communications Code is intended to provide additional guidance on beer distributor marketing and related promotional activities. The Code sets forth voluntary principles of responsible marketing, which NBWA believes all of its members should honor.

The Code and the five tenets below are premised on three overriding principles:

- Beer distributor marketing and communications initiatives should reflect the fact that beer distributors and their employees are responsible citizens of the local communities where they live and work with their children, grandchildren, friends and family and are vigorously opposed to illegal or irresponsible consumption of their products.
- Beer distributor marketing should not depict, suggest, encourage or endorse illegal or irresponsible sale, purchase or consumption of beer.
- Beer distributor marketing should be truthful, not misleading and within standards of good taste applicable to all marketing and advertising.

## The Code

This Code is meant to apply to all beer distributor promotional activities, advertising, marketing and related public communications.

The following five tenets comprise the Code:

### Beer Distributor Promotional Activities and Marketing Should Portray Beer in a Responsible Manner

Consistent with this tenet, beer distributor marketing should not:

- Show or imply illegal activity of any kind.
- Portray, encourage or condone drunk driving.
- Show beer being consumed excessively, irresponsibly or illegally.
- Portray persons in a state of intoxication or suggest that intoxication is acceptable conduct.

### Beer Distributor Promotional Activities and Marketing Should Reinforce the Legal Purchase Age

Beer distributor marketing is directed at adults of legal purchase age who choose to drink. This focus should guide decisions that each distributor company must make regarding where and how to advertise, promote or make related public statements. To this end:

- Beer distributor marketing should comply with appropriate state and federal laws separating the tiers and preventing items of value from being given to retail accounts.
- Beer distributors with websites, social networking sites and blogs, as well as mobile communications and applications should make use of age-gating technology to avoid marketing to those under the legal purchase age. Reminders should be posted at appropriate site locations reaffirming that beer products are intended for responsible consumption only by adults of legal drinking age.
- User-generated content on a site or Web page controlled by beer distributors must be monitored and moderated on a regular basis. When content is determined to be inappropriate or in violation of this Code, the material should be removed.
- Beer should not be advertised or marketed at any event where most of the audience is reasonably expected to be below the legal purchase age. This is not intended to prevent beer distributors from erecting promotional or marketing materials at or near facilities that are used primarily for adult-oriented events but that may be used occasionally for non-adult events.
- Beer brand identification – such as logos or trademarks – should not be used or licensed by distributors for use on

clothing, toys, games, game equipment or other materials intended for use primarily by people below the legal purchase age.

- Beer distributor marketing should not use any symbol, language, music, gesture or cartoon character intended to appeal primarily to people below the legal purchase age. Promotional and marketing material has a “primary appeal” to people under the legal purchase age if it has special attractiveness to such people above and beyond the general attractiveness it may have for people of legal purchase age.
- Beer distributor marketing should not employ any entertainment figure or group whose primary appeal is to people under the legal purchase age.
- Beer distributor advertising and marketing activities on college and university campuses, or in college media, should not portray consumption of beer as being important to education, nor shall advertising directly or indirectly degrade studying. Beer may be advertised and marketed on college campuses or at college-sponsored events only when permitted by appropriate school policy.

### Beer Distributor Promotional Activities and Marketing Should Not Advocate Irresponsible Consumption or Behavior

Beer consumption can be an appropriate element of leisure and social activity. Promoting responsible beer consumption includes taking special care with regard to activities commonly associated with consumption. In particular, beer distributor promotional activities and marketing should not:

- Portray beer consumption before or during activities that normally require a high degree of alertness or coordination. Excepted from this are public service