

EU WINE COMMUNICATION STANDARDS

I. PREAMBLE

Wine has been a part of European life and culture since time immemorial; it is a stand-bearer of the history and diversity of European cultures of savoir-vivre and eating habits, based on variety and appreciation of different tastes and flavours.

Wine has a major social, economic and environmental dimension in Europe. It is an essential economic activity in many European regions, involving over 3 million producers and employees in companies downstream. Wine contributes towards a flourishing tourist business, particularly through its unparalleled participation in maintaining the countryside and environment. Wine is an important sector of European agriculture, food industry and trade.

Wines are agricultural products and are defined as such by the EU Treaties. They are fully regulated by the EU (Regulation 479/08 and Regulation 1601/91) with a view to attaining all the major objectives of the EU Treaties with regard to Wine, their cultural heritage and to the protection of the legitimate interest of consumers. These Regulations are enforced in EU member states and they are controlled by comprehensive international (OIV) and EU (CMO) standards to protect the integrity and authenticity of the product and to ensure consumer protection.

There are different drinking patterns in different parts of the world – including in the EU - because they are part of different cultures and traditional lifestyles. Consumption patterns and habits differ widely from one country or region to another, particularly with regard to the different categories of alcoholic beverages, all of which have their own individual characteristics.

Responsible consumption patterns are perfectly compatible with a healthy lifestyle and Wine consumed in moderation by adults is not a health hazard or a point of social concern. Wines are enjoyed in an increasingly responsible and moderate way by the vast majority of consumers in Europe, and they are associated with meals and gastronomy, in a home or restaurant environment.

However, excessive or irresponsible consumption of wine and other beverages containing alcohol have negative personal, social or health consequences.

As a priority the EU Wine sector has to actively reinforce the norms of social responsibility pursued by the sector: it should cooperate with the authorities and society as a whole in combating abusive consumption and/or the misuse of alcoholic beverages. The sector should promote responsibility, moderation and good sense in the consumption of Wines and help people to make enlightened, responsible decisions about drinking.

The European Wine sector is a longstanding strong advocate of moderate and responsible consumption. This is the manner in which Wines are traditionally presented, communicated and made available to consumers: it focuses on the origins, heritage, making, and serving of the product in a dignified and social manner thereby inducing moderation and responsibility in their consumption.

Information and education in the broadest sense of “life-skills” to promote sensible drinking patterns and cultural change in the approach to alcohol beverages has been recognised by the EU as having a key role in reducing alcohol related harm. Information campaigns and education in a social context constitute the most effective means of raising citizens’ awareness of these problems. To this end advertising can play a useful role as a vehicle for messages aimed at encouraging moderate and responsible patterns of consumption.

Advertising and commercial communication are essential tools to enable Wine producers and companies to improve their position in the marketplace and to expand and secure customer loyalty for existing products, by providing information on their products. They are also the means by which consumers can exercise their right to information and freedom of choice.

Self-regulation in the area of advertising and commercial communications already enjoys considerable and increasing recognition at both EU and national levels as a legitimate means for better regulation. Compared to enforced regulation this approach allows for greater flexibility addressing different historical and cultural local contexts. It can easily adapt to changes in market conditions and can enhance the participation of consumers and other stakeholders in the market place provided that it fulfils a certain number of minimal criteria (e.g. efficacy, legitimacy, accountability and consistency with the internal market) .

II. PURPOSE

The EU Wine sector is committed to social responsibility towards consumers and society, by strengthening and intensifying the promotion of responsible advertising of Wines and by shaping commercial communication for their products in such a way that it does not promote harmful consumption.

Fully aware of the importance of self-regulation in advertising and commercial communications, and taking into account the specific characteristics of the Wine products and sector, the EU Wine sector establishes “EU Wine Communication Standards” aiming at promoting best self-regulatory practice across the EU Wine sector on:

- Reinforcing the traditions of Wine presentation, communication and availability to consumers in terms of promoting moderation and responsibility in its consumption, and;
- Ensuring that commercial communications on wine products do not encourage or condone excessive consumption or misuse of any kind.

These standards are established as a set of basic principles and criteria to comply with the law and with good faith and good business practices. They do not seek to replace relevant national laws or codes of conduct, but do provide best practice guidelines for application by national self-regulatory bodies responsible for, sector and company codes.

III. DEFINITIONS AND SCOPE

For the purpose of these Standards:

- “Commercial Communications”: any advertising or marketing communication instrument by a business enterprise, regardless of the medium used, with the primary objective of promoting sales of goods or services to consumers, including sponsorship, internet, consumer and trade promotion, merchandising and point of sale material, excluding editorial content;
- “Communication on Moderate Responsible Consumption”: editorial content, statements and other non-commercial advertising materials to the media, government agencies or the public about:
 - The cultural dimension of Wine, the Wine sector, the nature of Wines and its attributes (for instance origins, provenance, heritage, making, specific characteristics, serving and tasting of the product, oenotourism, etc);
 - Role of Wines in society, or issues of societal concern such as the risks and benefits related to the consumption of Wines on the bases of the scientific evidence available;
 - Educational messages about preventing abusive consumption and/or encouraging moderation and responsibility in the consumption of Wines.
- “Wines”: still wines, sparkling wines, liqueur wines, aromatised wines, and other vine products as defined under the UE Regulations 479/08 and 1610/91, (or any legislation replacing them in the future).
- These Standards are addressed to:
 - All companies, regardless of where they have their domicile or main establishment, which produce, distribute or import Wines in the European Union, as well as to
 - All national regional or local associations established in the EU which represents producers, distributors or importers of Wines in the EU;

Companies as well as professional or sectoral bodies, other than those mentioned in the above paragraph, established in the EU which are linked in the Wine chain (for instance HORECA, retailers, oenotourism, etc) are invited to take into consideration these standards and adhere to them.

IV. BASIC PRINCIPLES

1. LEGALITY

Communication on Wines shall comply with Regulations and self-regulatory codes of practice in force whatever their content, their dissemination medium or the form that they take.

2. TRUTHFULNESS

Communications on Wines shall be decent, honest, and truthful.

3. FAIRNESS

Communications shall be prepared with a due sense of social responsibility and shall meet the requirements of fairness, good faith and good business practices, whatever their content, the dissemination medium or the form that they take.

They must not be unethical, offend against generally prevailing standards of taste and decency or otherwise be an affront to human dignity and integrity.

V. PRINCIPLES

“Communications” may highlight the sector and/or specific wines attributes (e.g. origins, provenance, heritage, wine making, specific characteristics, and serving of the product), as well as the pleasure of communication, conviviality or socialising associated with moderate responsible consumption.

However, Communications shall not in any circumstances encourage any irresponsible and/or abusive consumption of wines.

1. Moderate responsible consumption messages

Communications on wine shall promote responsible consumption of wine.
To this end:

A/ Commercial Communications shall include

1. the following “Wine in Moderation message” :
 - “Wine, a taste for moderation”
 - and / or
 - “Wine, only appreciated in moderation”

2. the following logos:



The Wine in Moderation message and logo shall be displayed to consumers and the public in a clearly visible and legible format.

B/ Commercial Communications may replace the “Wine in Moderation message” indicated at the paragraph A above by other moderate responsible consumption messages, in accordance with the following parameters.

The use of moderate responsible consumption messages must not:

- a. Make moderate responsible consumption of wines appear commonplace or trivial, evoke fear or negative feelings or denigrate or have a negative impact on the image of the Wine sector (companies and associations);
- b. Mislead;
- c. Be associated with any content or conduct which is not in conformity with these Standards;
- d. Be used for commercial communications in those media in which the commercial communication of wines is not permitted, or be used in any other way to evade legal or self-regulation restrictions in force as regards the advertising of Wines.

C/ Additionally EU Wine companies and associations should include in their other communication and promotional material the Wine in Moderation message and logo displayed to consumers and public in a clearly visible and legible format.

2. Misuse

A/ Commercial Communications should not encourage or condone excessive or irresponsible consumption, nor trivialise such consumption, nor present abstinence or moderate consumption in any negative way.

B/ Commercial Communication should not present situations of abusive consumption. They should not display people who appear to have drunk excessively or in any way imply that excessive consumption is acceptable.

C/ Commercial Communications should not suggest any association with violent, aggressive, illegal, dangerous or antisocial behaviour.

3. Alcohol content

A/ Commercial Communications should not create any confusion as to the nature and alcohol strength of Wines.

B/ Commercial communications may indicate the alcoholic strength, but this indication should be provided only for information purposes.

4. Minors

A/ Commercial communications should not be aimed at minors nor show minors, or people appearing to be minor, consuming or promoting the consumption of Wines.

B/ Commercial communications should not be conveyed by media (e.g. programmes, sessions, sections, pages) specifically intended for minors in terms of editorial content and/or audiences.

C/ Commercial Communications should not use any element (e.g. objects, people, images, styles, symbols, logos, colours, music and characters, either real or fictitious) of primary appeal to minors.

D/ Commercial communication should not suggest that non-consumption is synonymous with immaturity.

E/ Commercial communication should not suggest that consumption contributes to bring someone into adulthood.

5. Drinking and driving vehicles, and other potential hazardous recreational or work-related activities

Commercial Communications should not associate the consumption of wines with driving vehicles or operating potentially dangerous machinery or with other potentially hazardous recreational or work-related activities which involve responsibility for third persons.

6. Workplace

Commercial Communications should not associate the consumption of wines with permanent workplaces or people consuming wine when working, with the exception of workplaces and/or people directly linked with a Wine profession.

7. Health aspects

A/ Commercial Communications should not claim that Wines may have therapeutic properties and that their consumption may help preventing, treating or cure any human disease, or have any medicinal effect.

B/ Communication on moderate responsible consumption can inform about the health risks and benefits related to the consumption of Wines, (including the protective effects against certain diseases in adult people) on the basis of the available scientific evidence.

8. Pregnancy

Commercial Communication should not show pregnant women drinking or be specifically aimed at women who are pregnant.

9. Psycho – social aspects (des-inhibition, anxiety and conflict).

Commercial communication should not:

- Claim the des-inhibiting effect of wine consumption.
- Suggest that the consumption of wines helps to overcome shyness,
- Show situations inferring that consumption contributes towards reducing or eliminating problems of social maladjustment, anxiety or psycho-social conflicts and, in general, may never suggest that consumption in solitude helps to solve this type of problem;

10. Performance

Commercial Communications should not create the impression that consumption of wines enhances mental ability or physical performance or skills.

11. Social success

A/ Commercial Communications should not suggest that the consumption of Wines is a requirement for social acceptance or success.

B/ Commercial communication should not suggest that non-consumption is synonymous with failure in social or working life or in business.

12. Sexual aspects

A/ Commercial Communications should not show images of women or men of a discriminatory or degrading nature or stereotypical female or male images that may encourage violence;

B/ Commercial Communications should not suggest that the consumption of Wines enhances sexual capabilities, attractiveness, or leads to sexual relations.

VI. IMPLEMENTATION, COMPLIANCE AND MONITORING

1. EU Wine companies and associations which sign these Standards undertake to observe in their Communications the principles set out in them.

2. Monitoring of compliance with these Standards will be dealt by the Self Regulations Organisations (SROs) or other appropriate independent organisations at national level. These national organisations are best placed to deal with complaints, as only they will be able to assess and fully understand the statutory and self-regulation frameworks, context and local sensitivities.

3. Recommended best practice elements to promote effective implementation and compliance monitoring of these Standards by national self-regulatory (SR) mechanisms are as follows :

A/ Copy Advice

- Implementation of voluntary, non-binding confidential copy advice provided by SROs

B/ Complaint handling

- Implementation of straightforward and accessible complaints submission procedures, and clearly defined time limits for all stages of the complaints handling process by the SROs
- Publication of decisions: The results of adjudications should be available to all stakeholders: the advertising industry, media, citizens and the authorities.
- Training of advertising staff and for the design of internal compliance processes.

C/ Sanctions

Sanctions for non-compliance with codes, for repeat offences and for consistently ignoring codes or adjudications, should be clear and effective. The minimum sanction should be timely discontinuing or the withdrawal of advertising copy or making the necessary modifications.

D/ Independence

Adjudication bodies should be composed of a substantial proportion of independent persons.