

Alcohol policy in France

Between traditions and paradoxes

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Euroopa Liit
Euroopa Sotsiaalfond

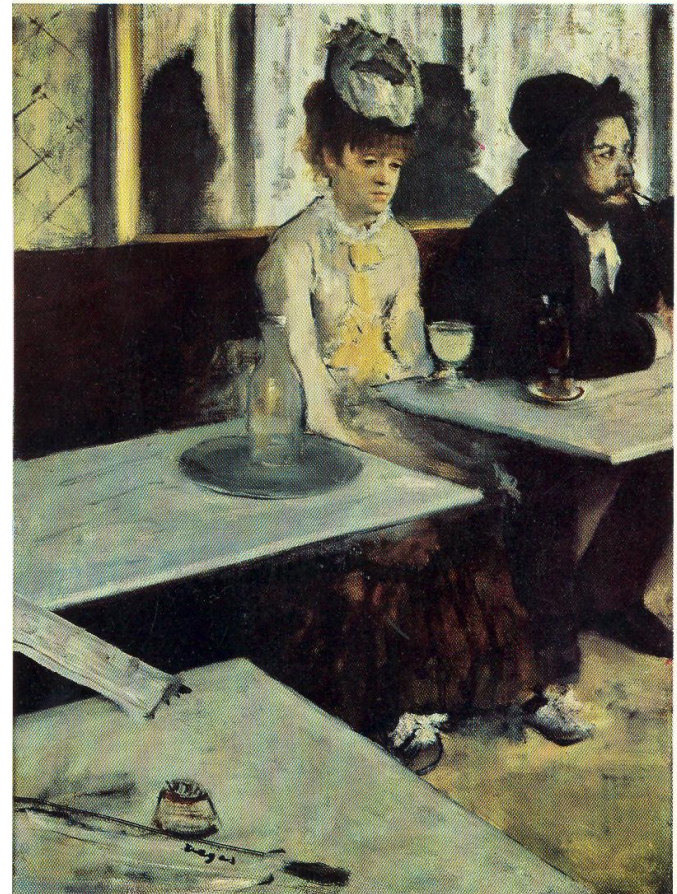


Eesti tuleviku heaks

Alcohol policy in France
Between traditions and paradoxes
Socio-cultural background

“Douce France” old traditions

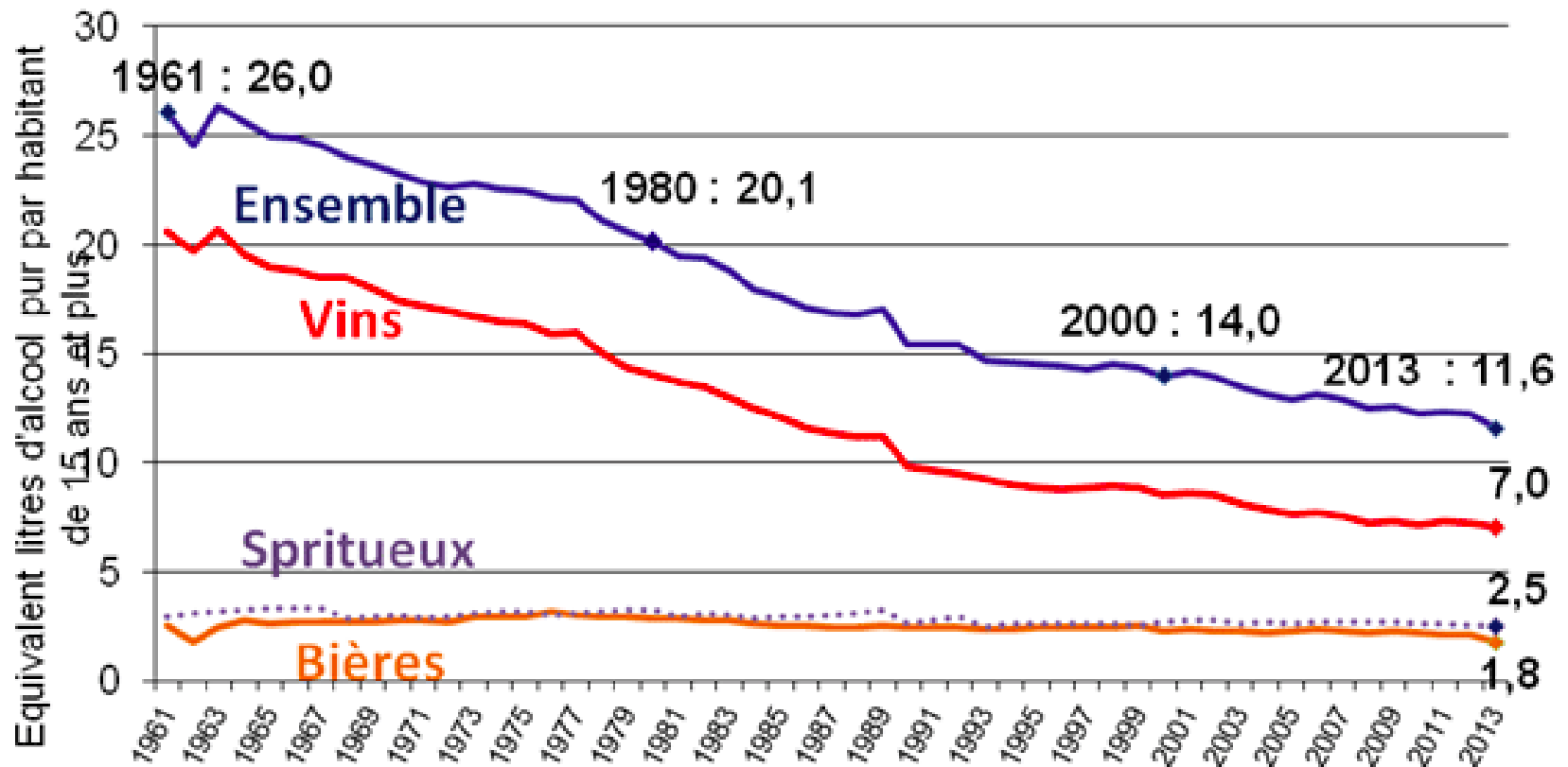
- Production, selling and marketing of alcohol drinks
- Café society and family table
- Glamorizing drinking and even drunkenness



Alcohol policy in France

Between traditions and paradoxes

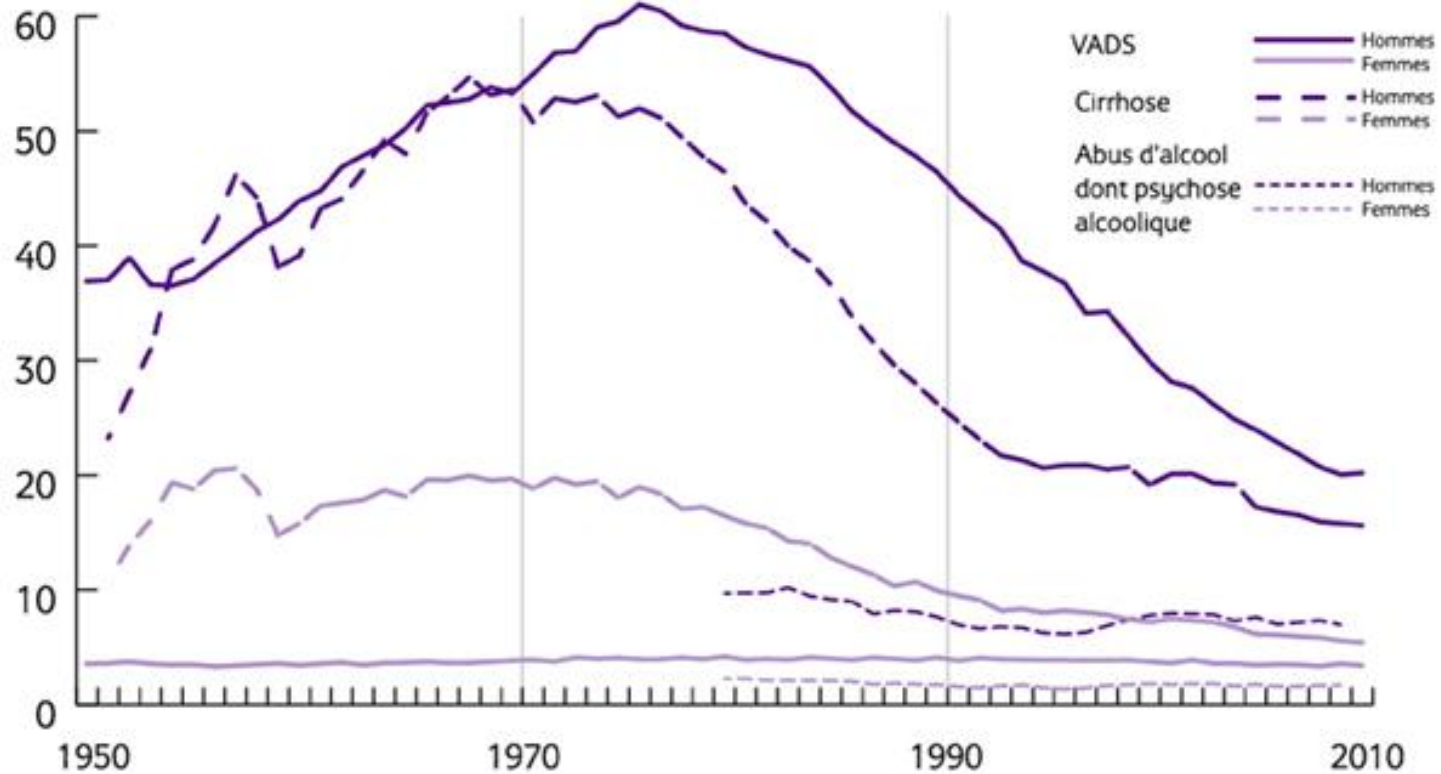
Consumption



Alcohol policy in France

Between traditions and paradoxes

Harms



Alcohol policy in France

Between traditions and paradoxes



General population

- Only 12% of the population has a daily alcohol consumption
- Annual consumption = 12.7 liters (pure alcohol).
(European mean = 10.85 liters)
- Decrease of about 1% per year since 1960 (30 liters)
- 49 000 people die every year because of alcohol consumption
- In 2011, 40 % of 3000 person killed in road accidents are linked with alcohol consumption. (The global figure has declined dramatically, from 12 000 per year, 20 years ago, but is now going steady and the responsibility of alcohol is the same)

Young people

- Binge drinking like everywhere in Europe...

Alcohol policy in France

Between traditions and paradoxes

- Some real French paradoxes
- Historical interest for alcohol problems (XIX century)
- Well organised treatment facilities (R-M Haas, Saint Cloud, 1955)
- Model of the population based approach (S. Ledermann, 1960)
- Invention of « Alcoologie » global scientific approach (Fouquet, 1965)
- Discovery of Foetal Alcohol Syndrom (Lemoine, Nantes, 1968)
- **Control of advertising : Loi Evin (1991)**
- **Warning message (about alcohol risk during pregnancy) on labels (2005)**

The 'loi Evin' : a French exception

- **What is the “Loi Evin”?**
- An alcohol and tobacco policy law voted in France in 1991
- One of the most strictest laws on advertising in Europe :
 - In a country where ‘passion’ for alcohol is intense
 - In a country where alcohol control is often lax
- How can we explain this real French paradox ?

The 'loi Evin' : a French exception

Why France benefits of this severe law?

- Former French law (until the seventies) was discriminatory : it gave advantage to French products
- France was condemned in 1980 by the European Court of Justice
Judgment made after a complaint by the Scotch whisky association
- NGOs and experts lobbied for a new law.
- French governments took time to change the law.
- The new law was passed only in 1991.

The 'loi Evin' : a French exception
A decade of *French* advertising

- From 1980 to 1990 alcohol producers, ad men and media used the legal loophole, as France was condemned, and the different governments (socialists and conservative) did nothing
- The ads became more and more provocative

The 'loi Evin' : a French exception
A decade of *French* advertising
Sex, alcohol and French life

- Alcohol and sport



- Alcohol and sex



The 'loi Evin' : a French exception
A decade of *French* advertising
Government inaction

- Ignoring their own codes of good practices the admen and producers went high in provocation and played with fire.
- The only way to stop them was to legislate.
- ANPAA and health experts lobbied until...
- ...'Loi Evin' was voted by the French parliament

- Why Law Evin was actually voted by the Parliament ? Difficult to say
- A mix of lobby, chance and political opportunities gave us

Text clear and simple, uneasy to trespass, compatible with European laws

The 'loi Evin' : a French exception

- A clear definition of alcoholic drinks is given:
 - all drinks over 1.2% alcohol by volume are considered as alcoholic beverages.
- Places and media of authorized advertising are defined:
 - - no advertising should be targeted at young people;
 - - no advertising is allowed on TV and in cinemas;
 - - no sponsorship of cultural or sport events is permitted;
 - - advertising is permitted only in the press for adults, on billboards, on radio channels (under precise conditions), on special events or places such as wine fairs, wine museum.

The 'loi Evin' : a French exception

No restriction on the volume of advertising

But the content of advertising is strictly controlled

Messages and images should refer only to the qualities of the products : such as degree, origin, composition, means of production, even patterns of consumption but without the image of the drinker

it allows to give information on the products... as the producers wished !

A health message must be included :

« L'abus d'alcool est dangereux pour la santé »

Alcohol abuse is dangerous for health

The 'loi Evin' : a French exception

- Other article on alcohol
 - It is forbidden to deliver alcoholic drinks by automatic machines
- The articles on tobacco reinforced a previous law (Veil, 1976)
 - Forbidding advertising and sponsorship
 - Forbidding sales to minors (under 18)
 - Forbidding smoking in public places (except special zones)
- Did these articles helped for the acceptation of the alcohol articles?
- Was alcohol lobby really weak?
- Nowadays, deputies and senators are mobilised on every word

The 'loi Evin' : a French exception
Consequences of the law 1991-2015

Consequences :

- 1) Advertising has lost most of its seductive character
The image of the drinker disappeared
- 2) Breaches of the law have been punished
NGOs are authorized to raise actions to Court
Only ANPAA did this unpopular work
- 3) Problems appeared in the field of sports TV retransmission

The 'loi Evin' : a French exception
 These ads were judged illegal
 in France in 2004 !

RÉVÉLATION N°14

"Des nuances pourpres teintées d'éclats rubis donnent toujours des robes aux reflets chatoyants."

Un Bourgognes plus de 150 appellations d'origine aux couleurs extraordinaires, qui offrent toutes et sans exception indéniablement l'expérience de la fraîcheur et de la douceur. Cette collection fait de chaque vin de Bourgognes une véritable révélation.

B
BOURGOGNES
 L'âme des vins de la Terre

www.bourgognes.com

L'ABUS D'ALCOOL EST DANGEREUX POUR LA SANTÉ, CONSOMMEZ AVEC MODÉRATION.

RÉVÉLATION N°4

"Un bouquet aux nuances subtiles exhale des parfums de chèvre-feuille, des senteurs de tilleul et d'acacia."

Un Bourgognes plus de 150 appellations d'origine aux couleurs extraordinaires, qui offrent toutes et sans exception indéniablement l'expérience de la fraîcheur et de la douceur. Cette collection fait de chaque vin de Bourgognes une véritable révélation.

B
BOURGOGNES
 L'âme des vins de la Terre

www.bourgognes.com

L'ABUS D'ALCOOL EST DANGEREUX POUR LA SANTÉ, CONSOMMEZ AVEC MODÉRATION.

RÉVÉLATION N°8

"Le Chablis possède de subtiles notes minérales à la fraîcheur vivifiante qui rappelle que, jadis, l'océan recouvrait ses terres."

Le Bourgognes Chablis est un vin unique, riche en minéraux et fondue comme un vin de Chablis. Cette collection fait de chaque vin de Bourgognes une véritable révélation.

CHABLIS
 L'âme des vins de la Terre

www.bourgognes.com

L'ABUS D'ALCOOL EST DANGEREUX POUR LA SANTÉ, CONSOMMEZ AVEC MODÉRATION.

The 'loi Evin' : a French exception

Consequences of the law 1991-2015

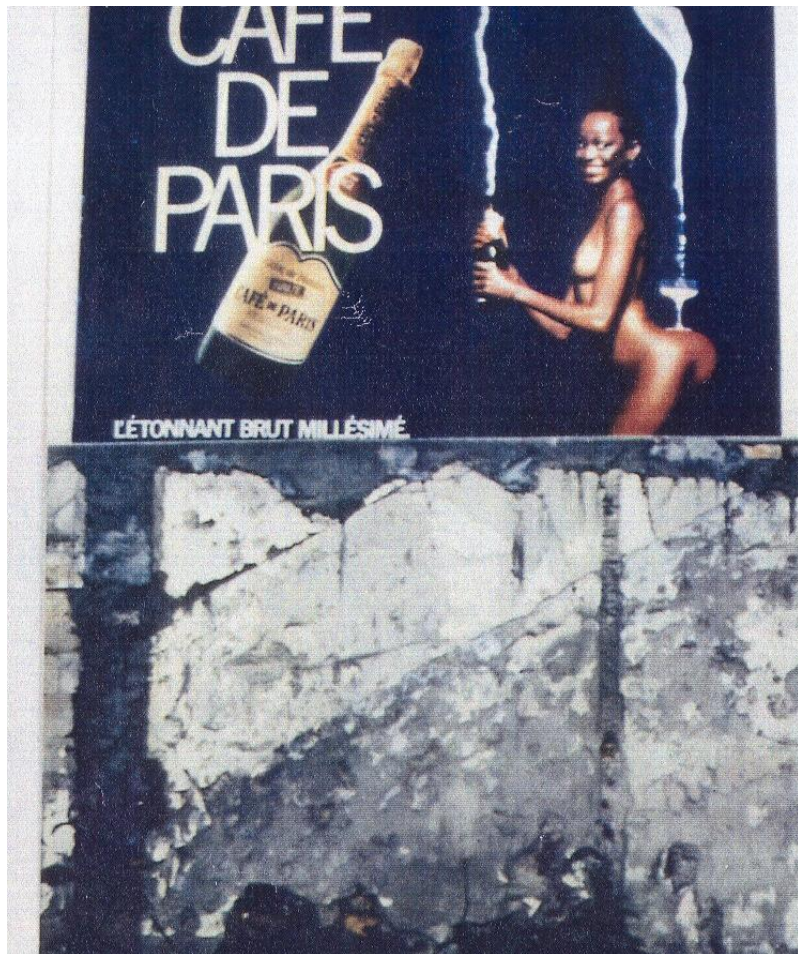
- Before the law



- After the law



The 'loi Evin' : a French exception
Consequences of the law 1991-2015



The 'loi Evin' : a French exception

Consequences of the law 1991-2015

Permitted ad in the USA

- Illegal ad in France



The 'loi Evin' : a French exception

Consequences of the law 1991-2015

Breaches of the law have been punished by action before the ordinary courts of justice (no special court)

70 advertisements were brought before the French courts by ANPAA

- 49 complaints have been upheld
- Penalties were high

Finally, we made few complaints over 25 years, because producers, media and admen were afraid of legal and financial consequences

The law is therefore **a prevention measure** of “ad abuse”

The 'loi Evin' : a French exception
Consequences of the law 1991-2015

Problems appeared in the field of sports

- Cancellation of TV retransmission of international football matches
- American brewer Anheuser Bush could not sponsor the 1998 Football World Cup...

... and France won the Cup for the first time !

- More seriously, we can say that a new sponsor was found : Casio Company

Sports do not die without alcohol sponsorship

The 'loi Evin' : a French exception

What are the limits of the law ?

Many marketing tools are not controlled

Mailing

Internet

Social events

- Control of advertising is only a part of an overall strategy of prevention

Many new marketing tools are coming

The 'loi Evin' : a French exception

A law difficult to assess

- Difficult to assess the role of one factor (advertising) on consumption and harm
- Consumption is impacted by many factors and events
- The effect of advertising on consumption is real but weak
- Assessment is even more difficult in France where we benefit of a dramatic diminution of the average consumption :
 - since 1960, of 1 % per year
 - from 30 to 13 liters alcohol per capita per year
- Quantitative effects may be impossible to assess...
- ... but symbolic effects are obvious
 - Images are less seductive
 - The drinker disappeared from advertising : identification is not so easy

The 'loi Evin' : a French exception

The symbolic effect of the law

- Advertising increase sales, consumption and harms
- If not, why producers would struggle against regulation ?

Ad is not only used to make a choice between brands

There is no negative impact of the loi Evin on harm

In France producers claim that the law is responsible for binge drinking !

- Advertising reinforces preconceived ideas about alcohol

In most European countries, advertising associates alcohol consumption with personal, sexual and social success... even if forbidden by codes of practice

- A law is the only way to change this seductive language

Alcohol policy in France Between traditions and paradoxes

- Since 1991, the law has been attacked in and outside France
- In 2004... following a complaint by Bacardi (Football match, TF1), the Advocate General of the European Court of Justice defend the law
- He proposed that the Court should rule that :
 - French measures on advertising limit incitement to consumption
 - French rules are not disproportionate
 - French law is compatible with European regulations even if limiting the freedom of providing services
- And the European Court of Justice follows 13 juillet 2004

C-262/02 C-429/02

Alcohol policy in France Between traditions and paradoxes

In France, since the beginning, the law has been attacked by the French wine producers.

Changes of Loi Evin 1991-2015

Billboard advertising authorized everywhere 1994

(and not only on places of production and selling)

References to regional origins and « objective » qualities authorized 2004

Advertising authorized on Internet 2009

with the general restrictions on content

but enforcement is problematic

New distinction proposed between advertising and information 2015

Alcohol policy in France

Between traditions and paradoxes

Ongoing battle in 2015

In a liberal economic law presented by a « socialist » Minister of Economy and industry, an article was introduced by a senator against Loi Evin

This article makes a distinction between advertising and information so that « the media should not be afraid of the law in their work, and would not have to censor themselves »

This is fantasy. Only 4 so called « informative articles » have been condemned in the press during 25 years, because they were real disguised advertising.

The article was voted against the official will of the government by deputies of all parties.

But this article was declared unconstitutional by the Conseil constitutionnel, the official body which scrutinized new laws : it was considered a « rider »

Nevertheless

Alcohol policy in France Between traditions and paradoxes

The same article was introduced three month ago by the same senators, in a Public health law presented by a socialist (« » ?) Health Minister.

Against the will of the government.

We are waiting for the vote in Parliament

We may be afraid that this article to be seen as « constitutional »...
... in a Health policy law!

This is just another French paradox!

Alcohol policy in France

Between traditions and paradoxes

- The original Loi Evin was
 - simple, therefore easy to apply, difficult to distort
 - It has modified the seductive language of advertising
 - Is compatible with European legislation
-
- This is no real surprise as the law was a response to the 1980 European Court decision
 - We hoped that this example would be followed in Europe
 - Our hope relies now in Estonia

Alcohol policy in France

Between traditions and paradoxes

Alcohol and pregnancy

A long battle

1968:

French discovery of the Fetal alcohol syndrom

2000-4

Complaint by parent

French Minister afraid

A French senator mobilized

Anne Marie Payet La Réunion

Amendment passed in a law

2007 Logo compulsory

The result



Alcohol policy in France
Between traditions and paradoxes

Warning label about pregnancy

This is another hope for a
European policy

Alcohol policy in France Between traditions and paradoxes

Conclusion

No real coherent alcohol policy in France with 2 majors exception

When I met the civil servant of the Minister who asked me to represent France at this conference, he recognised that with those words.

He told me that, as a member of NGO I shall feel more free to say it

Yes, I fell quite free to regret the lack of action

We (ANPAA) are often making the unpopular work (the dirty job) the public responsables should do

For example in putting advertising to courts, which has never been done by public agencies

Alcohol policy in France

Between traditions and paradoxes

Conclusion

Recent measures on alcohol, without any coherent plan

Small increase of taxation RtD (2005) Beers (2012)

Loi HPST (2009)

- Increase of legal purchasing age : 18 years for **all** alcoholic drinks

- Open bars forbidden

- Sales in petrol station forbidden between 8 pm and 8 am

Some measures against drink and driving : More controls, higher penalties

- Lower Legal BAC for professional drivers

Alcohol policy in France

Between traditions and paradoxes

- In Northern, Eastern and Central Europe, regulation is often seen as a return to former regimes
- In the same countries, wine consumption is often presented as **the** solution to alcohol problems. With this traditional consumption we had major medical problems in Mediterranean countries
- Hypocritical arguments are used by producers, admen, media and many personalities claiming
 - they are struggling for freedom
 - they oppose to a « nanny state », taking all responsibilities from the citizens
- More dangerous arguments is to name us « Ayatollah » of Health
 - We can imagine that the recent events in Paris may have an impact on consumption and prevention
 - As a mobilisation slogan is « Tous en terrasses »
 - Yes, we should go on with our habits, go in bars and café, but we can also adopt safer life styles and drink also non alcoholic drinks

Alcohol policy in France Between traditions and paradoxes

- Development of large companies of drink industry around the world

Case of wine producers in France and Southern Europe

Wine producers can still use many traditional marketing ways

Loi Evin is more efficient against the industry

But the drinks industry manipulates the wine producers, make them mobilize political forces.

The result will be increasing sales of beers and spirits in the end

- Products and images cross frontiers
- Internationalization of life styles and drinking cultures

Alcohol policy in France Between traditions and paradoxes

- France in Europe
- Without nationalism or ethnocentrism, we can say that France is in the centre of Europe, regarding patterns of consumption and prevention approach, between South and North, between
 - Wines, beers, and spirits cultures
 - Convivial drinking and Binge drinking
 - Control and education in prevention programs

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This complex situation

- explains the interest of many experts all over the world for France alcohol policy
- implies that we are fighting for a comprehensive approach...

« Une politique globale » « Un modèle bio-psycho-social »

... both in prevention and treatment