

Guidance Note

Rule 3.2(e): Social success or popularity

March 2019



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This guidance is intended to help drinks producers comply with the Portman Group's (PG) Code of Practice on the Responsible Naming, Packaging and Promotion of Alcoholic Drinks. This guidance represents the opinion of the Advisory Service. Please note that the Independent Complaints Panel (Panel) is the final arbiter on how the Code should be interpreted and applied. Following the advice in this document is no guarantee that a product's packaging or promotion will not be found in breach of the Code if a complaint is received. The guidance will be updated regularly to reflect the views of the Panel.

The fundamental principle is that the Code is applied in the spirit as well as in the letter and to both direct and indirect claims. In judging compliance with the Code, the matter will be looked at broadly and with regard to all the circumstances including, but not limited to, the drink, the overall impression conveyed and any other relevant matters. It is therefore difficult to say whether a particular product name, image or statement on a drink's packaging or in a promotion is acceptable under the Code without seeing/considering it in context. Companies are therefore encouraged to make use of the free Advisory Service before undertaking promotional activities or launching products to help ensure that they comply with the Code.

The Code sets the minimum standards; producers may have their own internal marketing guidelines which go above and beyond what is required of them under the Code.

Introduction

Code paragraph 3.2(e) requires that a drink's naming, packaging and any promotional material or activity does not, in any direct or indirect way suggest that the consumption of the drink can lead to social success or popularity. While it is perfectly permissible to show people consuming a drink to be sociable and popular, there should be no suggestion that consumption of the drink has played a part in an individual achieving popularity or sociability. Likewise, alcohol should not be presented as the catalyst for the success of an event.

Application of The Rule

Marketers should avoid any implication that alcohol can enhance a person's confidence, help them overcome shyness, or be essential to them having a good time. Expressions such as 'Icebreaker', 'Social Lubricator' or 'Dutch Courage' will be unacceptable.

It should not be suggested that alcohol has played a key part in the success of an event, for example, by suggesting that the presence or consumption of alcohol can transform a dull/boring occasion into a more lively/successful event. It should not be suggested that a person is in any way 'losing out' for not being part of an alcohol-related scene.

There is not necessarily a problem with suggesting that people who drink the product are sociable and popular, for example by showing or alluding to consumption of the drink in a happy, group setting.

It is acceptable to portray drinking as a legitimate accompaniment to a sociable and relaxing setting, even among a group of people who appear to be confident and/or attractive.

In 2008, a complaint was received about a series of photographs of consumers which appeared on the Mugshots section of the [WKD](#) website. The Panel noted that the event photographs showed groups posing for a camera while drinking WKD. In some cases, the groups would be huddled together and/or would be 'playing up' for the camera with funny faces and poses. The Panel considered that the invitation to pose for a photograph in a licensed venue was likely to cause this reaction. It was concerned, however, that the effect was to imply close bonding, popularity, and a



good time, all very closely linked to the WKD brand. While it was acceptable to portray drinking as sociable, the Panel considered that some of the photographs, because of the above elements, went further and suggested that consumption of WKD could lead to social success and popularity. Accordingly, it found the website in breach of Code paragraph 3.2(e).

The following year, a complaint was received about [Rampant IT's](#). The Panel noted that the company website for the product featured various photographs of people at Rampant promotional events. Some of the people were holding signs including, for example, a young woman holding a sign stating, "I'm off my tits". The company said that they had not been responsible for producing these signs and that they had removed problematic images from the website following notification of the complaint. The Panel considered that the photographs implied that consumption of Rampant would lead to social success or popularity.

The Portman Group is a responsibility body and regulator of the naming, packaging, promotion and sponsorship of alcohol. The above guidance should help you to avoid problems under the Portman Group's Code of Practice.

The Portman Group's Advisory Service

If you are in any doubt as to whether your proposed activity conforms to the Code you can seek free, fast and confidential advice from the Portman Group's Advisory Service. To obtain advice, please telephone the Portman Group on 020 3295 5704 and ask for the Advisory Service. Alternatively email your request to advice@portmangroup.org.uk, with full details of the proposed activity.

The Portman Group's Code Training Programme

We also provide free CPD accredited training to ensure that the Code is widely understood and applied; as well as providing details on the wider regulatory landscape. Should you wish the Portman Group's training sessions can be tailored to suit your organisation or individual needs. To book a training session or to find out more, please telephone the Portman Group on 020 3295 5704 and ask for the Training Manager. Alternatively, email your booking request or query to training@portmangroup.org.uk.

