



## Here's what one public health expert wishes the alcohol industry would do to protect kids

Updated by [German Lopez](#) on February 4, 2016, 2:00 p.m. ET [@germanlopez](#)  
[german.lopez@vox.com](mailto:german.lopez@vox.com)

[Tweet Share \(33\)](#) +



[Shutterstock](#)

Kids aren't supposed to drink alcohol. But in the US, booze is everywhere. It's hard to grow up without being exposed to alcohol advertising. And those ads are working a little too well: [Several](#) long-term [studies](#) have found that higher exposure to alcohol ads correlates with an increase in drinking among youth.

That's a big problem: Drinking at a young age, according to [numerous studies](#), can lead to detrimental effects, from dependence to earlier development of liver cirrhosis.

That's why the alcohol industry takes steps to stop ads from reaching people under 21.

For the industry, part of this is economical: It's more profitable to show ads to people who can legally buy alcohol. But there's also a self-interest in avoiding the ire of public health officials who wouldn't be happy with the industry advertising to youth.

So the industry [self-regulates](#) to limit alcohol advertising so that no more than 28.4 percent of its ads' audiences are people under 21. (State and federal laws can't impose such standards due to constitutional protections for speech, including advertising.)

Related [Europe has lower drinking ages than the US — and worse teen drinking problems](#)

But is the industry really doing all it can to avoid youth audiences? [David Jernigan](#), an alcohol policy expert at Johns Hopkins University, and two of his colleagues looked at this question in a recent [study](#) published in the *Journal of Studies on Alcohol and Drugs*.

The authors found that the industry has room to improve. They recommend alcohol makers figure out which of their television ad campaigns, television networks, and time slots have exposed more underage people to their ads. They also recommend where companies can put better safeguards on advertising for low-rated programs, which have very unpredictable age demographics.

If the industry adopted these three measures, Jernigan's study found it could eliminate a majority of ads that slip through to youth — from 2005 to 2012, these restrictions would have cut nearly 13 billion instances of exposure to youth each year.

I reached out to Jernigan to discuss his study and why it's important to prevent youth exposure to alcohol ads. What follows is the interview, edited for length and clarity.



*Africa Studio/Shutterstock*

**German Lopez: Your study focuses on how the alcohol industry can limit its ad exposure to kids. But why is this type of self-regulation necessary in the first place?**

David Jernigan: The first thing is alcohol is the number one drug among young people. There are about 4,300 deaths a year among people under 21 as a result of alcohol use. So we've got a major public health issue.

There are now more than 21 longitudinal studies that have found that the more young people are exposed to alcohol advertising, the more likely they are to start drinking — or, if they're already drinking, to drink more. So exposure to alcohol advertising is a risk factor in youth drinking.

"More than 21 longitudinal studies ... have found that the more young people are exposed to alcohol advertising, the more likely they are to start drinking"

The public health goal is to reduce that exposure. The alcohol industry itself agrees that young people should not be unduly exposed to alcohol advertising. So they have a self-regulatory code where they set a maximum for the percentage of youth that are supposed to be in the audience for their advertising. That is proportional to youth to people under 21, so right now that percentage is 28.4 percent.

In order to be consistent with that, years ago the Federal Trade Commission recommended that the industry take a look back at how different vehicles — like TV programs — have been performing in terms of audiences. And the FTC said, "Look, some companies actually do this. This is the best practice in the industry, and it should be spread more widely."



[Shutterstock](#)

**GL: What did your study find?**

DJ: We looked backward, looked at how feasible the new restrictions would be and how much of the advertising exposure could conceivably be eliminated if they were to use our restrictions.

We found there are three pretty straightforward things they could do, and it could eliminate nearly all the exposure that is above that threshold that the industry has set for itself.

The first thing they could do is look back a year and look at what programs had larger audiences than the threshold.

"The alcohol industry itself agrees that young people should not be unduly exposed to alcohol advertising"

The second thing that they could do is on cable, a fair amount of advertising is not sold by a program; it's sold by a combination of a network and time of day, called a daypart. So they could also look back at network daypart combinations and identify the ones that are more likely to attract more young people than their threshold calls for. And they could make a no-buy list of those.

Those two in and of themselves would eliminate the overwhelming majority of youth exposure that happens from advertising based on programming where the audience is youth audiences larger than the industry code calls for.

The last thing is there are a fair number of low-rated programs on cable, and low-rated programs tend to be unstable in terms of ratings just because the numbers are so small. So for those low-rated shows, what you would typically do is something called guard banding — you just expand the safety zone, have a lower maximum for youth audiences on those low-rated programs. That could eliminate the rest of exposure.

Because there's so much alcohol advertising on television, doing these things could eliminate youth impressions numbering in the billions. So that's why we're interested in this.

*Mario Tama/Getty Images*

**GL: Why isn't the alcohol industry doing this kind of thing right now?**

DJ: I am not in any position to try to second-guess the industry.

The Federal Trade Commission periodically [reports](#) on the effectiveness of this self-regulation. It's found that the compliance is fairly high.

Our point is that, yes, it may be fairly high, but there's still so much alcohol advertising on television that even that high compliance rate still generates a whole lot of youth exposure that could be eliminated if the industry did a better job.

**GL: Some people are going to read all of this and wonder why regulations on ads are even necessary. It seems like kids are going to be exposed to alcohol in media and culture anyway. So why is this necessary?**

DJ: The bottom line is alcohol is not an ordinary product. This is a product that's linked to the three leading causes of deaths among young people: motor vehicle crashes, homicide, and suicide.

It is a product that we as a society have decided is best placed in terms of purchasing power in the hands of adults. So in all 50 states, young people cannot purchase this product. So if your audience can't purchase this product, why waste advertising dollars exposing that audience?

It's also more economically efficient for them to aim their advertising more effectively at the population that can buy the product as opposed to population that can't.

But the fundamental reason for all of this is to not appeal to young people, to keep alcohol away from young people, and so on. It is this consensus driven by the public health data that this is a very dangerous product in the hands of young people.

"This is a very dangerous product in the hands of young people"

There's some neuroscience behind that as well. There is a period of high vulnerability in terms of adolescent brains. The prefrontal cortex, which is the part of the brain that exercises judgment, is one of the last parts of the brain to develop. And the parts of the brain that are about reward, positive aspects, and immediate gratification develop sooner. So you've got a window of vulnerability, and we're trying to protect young people in that window.

We've also got [long-term studies](#) across the population that look at the development of alcohol dependence. It turns out that like nicotine dependence, alcohol dependence is a developmental disease: The peak of the instance of onset — that is, the age at which the largest number of people begin to show full-blown signs of dependence — is 18.

We also have a number of other studies that show that not just for dependence but other consequences, the longer we delay initiation of alcohol use, the better the long-term picture is for that person.



*Frederick M. Brown/Getty Images* The Super Bowl is known for its funny alcohol ads.

**GL: One thing that makes me generally skeptical of the industry's self-regulations is I grew up seeing so much alcohol advertising, particularly during sporting events. It seems obvious that sporting events would be one place to stop ads, since they appeal to all ages. But it hasn't worked out that way.**

DJ: You're exactly right. Programs like the Super Bowl, which attract a very large audience of all ages, will not be covered under these self-regulatory codes.

**GL: So less than 28.4 percent of the audience for these sporting events is still below the age of 21. Even though millions of kids watch events like the Super Bowl, it's not enough to cross the 28.4 percent threshold.**

DJ: Yeah. The last time that we looked at the Super Bowl was a number of years ago, but it was much lower than the threshold, because so many people [of higher ages] also watch it.



*David Silverman/Getty Images*

**GL: Why do we rely on the industry's self-regulation instead of government regulations?**

DJ: In the US, we have very strong protections for commercial speech. So while tighter limits on alcohol advertising are in place or under debate in lots of other countries, in the US it's a very different playing field. So what we have at this point is the industry's self-regulations.

We have tighter restrictions on tobacco because of action that 46 state attorneys general took in the 1990s. They sued the tobacco companies, and they reached a settlement. It's a voluntary agreement by the tobacco companies to give up their First Amendment rights to advertise in a whole bunch of different venues.

But there's nothing like that for alcohol.

**GL: Even with these kinds of self-regulations, it seems like it's going to become really hard to stop alcohol advertising from reaching kids on the internet, where this kind of advertising is everywhere.**

DJ: This is about minimizing exposure wherever we can.

Social networks like Facebook have a policy that if your Facebook age is below 21, you're not supposed to be served any alcohol ads. Twitter, you're not allowed to follow an alcohol feed unless your Twitter age is 21.

Now, the problem in the digital world is that the age gating is an honor system. And we know lots of people lie about their age on the internet. So that is a very permeable standard.

But this is really about looking wherever we can and reducing the exposure where we can, because it is a risk factor for young people.