



Code of Advertising Standards

<http://www.wineinstitute.org/initiatives/issuesandpolicy/adcode/details>

PREAMBLE

Since ancient times, wine has been appreciated as an enhancement to meals and a beverage of enjoyment by cultures throughout the world. Members of the Wine Institute are proud of their wines and are committed to ensuring their wines are promoted responsibly to those adults who choose to consume them.

We have a right to advertise and promote our wines to consumers of legal drinking age. Along with this right comes the responsibility and commitment to market our wines to adults in a responsible and appropriate manner. This commitment includes the responsible content and placement of all communications concerning our wines.

Informal principles of good advertising practice for the winegrowing industry were first adopted in 1949. This code is designed to encourage continued high standards so that California wine advertising may increasingly be viewed as a positive contribution to society.

All advertising in all forms – including, but not limited to Internet, mobile and other digital marketing communications, product labels, packaging, direct mail, point-of-sale, outdoor, displays, sponsorships, promotions, radio, television, movies, video, print media and product placements – shall adhere to both the letter and the spirit of this Code.

GUIDELINES

These guidelines shall apply to all active members of Wine Institute. “Wine” as used in this Code means wine and wine coolers.

RESPONSIBLE CONTENT:

1. Wine advertising shall encourage the responsible consumption of wine and shall be adult-oriented and socially responsible. Therefore wine advertising shall not depict or describe in its advertising:

- a. The consumption of wine for the effects the alcohol content may produce.
- b. Direct or indirect reference to alcohol content or extra strength, except as otherwise required by law or regulation.
- c. Excessive drinking or persons who appear to be intoxicated or to be inappropriately uninhibited.
- d. Any suggestion that excessive drinking or loss of control is amusing or a proper subject for amusement.
- e. Any persons engaged in activities not normally associated with the moderate and responsible use of wine and a responsible lifestyle. Association of wine use in conjunction with feats of daring or activities requiring high degree of skill is specifically prohibited.
- f. Wine in quantities inappropriate to the situation or inappropriate for moderate and responsible use.
- g. Wine advertising should not depict or encourage illegal activity of any kind.

2. Advertising of wine has traditionally depicted persons enjoying their lives and illustrating the role of wine in a mature lifestyle. Any attempt to suggest that wine directly contributes to success or achievement is unacceptable. Therefore, the following restrictions shall apply:

- a. Wine shall not be presented as being essential to personal performance, social attainment, achievement, success or wealth.
- b. The use of wine shall not be directly associated with social, physical or personal problem solving.
- c. Wine shall not be presented as vital to social acceptability and popularity.
- d. It shall not be suggested that wine is crucial for successful entertaining.

3. Any advertisement which has particular appeal to persons below the legal drinking age is unacceptable, even if it also appeals to adults. Therefore, wine advertising shall not:

- a. Show models and personalities as wine consumers in advertisements who are or appear to be under the legal drinking age. Such models shall be 25 years of age or older.
- b. Use music, language, gestures, cartoon characters, or depictions, images, figures, or objects that are popular predominantly with children or otherwise specifically associated with or directed toward those below the legal drinking age, including the use of Santa Claus or the Easter Bunny.
- c. Be presented as being related to the attainment of adulthood or associated with "rites of passage" to adulthood.
- d. Suggest that wine is similar to another type of beverage or product (e.g., milk, soda, candy) having particular appeal to persons below the legal drinking age.
- e. Use entertainment or sports celebrities having a particular appeal to persons below the legal drinking age. These selections should be substantiated by research demonstrating the basis for selection and periodically evaluated.

4. Wine advertising shall in no way suggest that wine be used in connection with operating motorized vehicles such as automobiles, motorcycles, boats, snowmobiles, or airplanes or any activities that require a high degree of alertness or physical coordination.

5. Wine advertising shall make no curative or therapeutic claims except as permitted by law.

6. Comparative advertising claims shall be truthful and appropriately substantiated and shall not be disparaging of a competitor's product.

7. Wine advertising shall not degrade, demean, or objectify the human form, image or status of women, men, or of any ethnic, minority, religious or other group or sexual orientation. Advertising shall not exploit the human form, or feature sexually provocative images.

8. Wine advertising shall not be directed to pregnant women. Wine advertising shall not portray excessive drinking.

9. Wine advertising shall not reinforce nor trivialize the problem of violence in our society. Therefore, wine advertising shall not associate wine with abusive or violent relationships or situations.

10. A distinguishing and unique feature of wine is that it is traditionally served with meals or immediately before or following a meal. Therefore, wine advertising when appropriate should include food.

11. Wine advertising and marketing materials should reflect generally accepted standards of good taste.

RESPONSIBLE PLACEMENT

1. Wine advertising is intended for adults of legal drinking age who choose to drink. Wine should not be advertised or marketed in any manner directly or primarily appealing to persons below legal drinking age. Therefore, wine advertising shall not be placed in media with substantial underage appeal and shall not:

- a. Appear in children or juvenile magazines, newspapers, television programs, radio programs or other media specifically oriented to persons below the legal drinking age.
- b. Appear in any media where more than 28.4% of the audience is underage (determined by using reliable, up-to-date audience composition data).
- c. Be placed on the premises of college and university campuses or in newspapers published by, or primarily for, a college or university. However, members may advertise in licensed retail establishments located on such campuses or may participate in programs organized by or for graduate or professional schools or alumni organizations.

2. Wine advertising shall be placed in digital media as follows:

- a. Members shall be mindful that online advertising may be viewed by underaged individuals and shall take steps to ensure that online content remains consistent with provisions of this code.
- b. A member should employ an age affirmation mechanism on the homepage that restricts access only to viewers who affirm their legal drinking age before access to any area of the site. Any linkage to a member website page that bypasses its home page should include an age affirmation mechanism.
- c. Member websites should employ a third party age verification mechanism that will verify the legal drinking age of online purchasers of wine at the point of purchase.

3. Members placing products in visual media, regardless of the visual media's rating, shall strive to depict wine appropriately and consistently with other provisions of this code. Members placing product shall be guided by the following principles:

- a. Product placement decisions shall be made on a case-by-case basis based upon the information about the movie, television program, music video, or video game available at the time provided by the project's producers;
- b. Product placements shall not be made where the characters engage in illegal or irresponsible consumption of wine in connection with driving, where characters use wine irresponsibly or abusively, or where alcoholism is portrayed; and
- c. Product placements shall not portray the purchase or consumption of wine by persons who are below the legal drinking age.

4. To the extent feasible, wine advertising shall not be placed in or directly adjacent to television or radio programs or print media that dramatize or glamorize over-consumption or inappropriate use of alcoholic beverages.

5. Wine advertising should not be placed on any outdoor stationary location within five hundred (500) linear feet of an established place of worship, an elementary school or secondary school except on a licensed premise.

6. Wine advertising should not be placed at events unless at least 70 percent of the audience who are intended to view the advertising is reasonably expected to be above the legal drinking age.



Wine Institute Guidance Note on Digital Marketing Communications

Approved by Wine Institute Board on December 10, 2013
Effective January 01, 2014

Introduction:

This Guidance Note for responsible digital marketing communications is an integral part of Wine Institute's **Code of Advertising Standards** and should be read in conjunction with its provisions.

Wine Institute members recognize the increasingly important role of digital marketing as a valuable and appropriate tool to reach adult consumers and have developed these additional principles relevant to digital marketing as an extension of our Code.

Digital marketing activities are in a state of evolutionary development, where new trends are likely to occur rapidly. This Note will be reviewed on a regular basis and updated when necessary.

Scope:

This Note applies to branded digital marketing communications (paid and unpaid) of Wine Institute members, including but not limited to communications on websites such as social network sites and blogs, as well as mobile communications and applications.

Basic Principles:

1. Digital marketing communications are intended for adults of legal purchase age.
2. Digital marketing communications should not be placed in media where more than 28.4% of the audience is underage (determined by using reliable, up-to-date audience composition data).
3. Digital marketing communications on a site or web page controlled by the brand advertiser that involve direct interaction with a user should require age affirmation by the user prior to full user engagement of that communication to determine that the user is of legal purchase age.
4. User-generated content on a site or web page controlled by the brand advertiser should be monitored on a regular basis.

5. Digital marketing communications that are intended to be forwarded by users should include instructions to individuals downloading the content that they should not forward these materials to individuals below the legal purchase age.
6. Digital marketing communications on sites controlled by the brand advertiser must respect user privacy.
7. Digital marketing communications and product promotions must be transparent as brand marketing by being identified as such.

Definitions:

Direct Interaction is a two-way communication between the user and the brand advertiser on a site or web page controlled by the brand advertiser. It occurs when the user affirmatively interacts with the brand advertiser, such as responding to a direct communication from the brand advertiser.

Age affirmation is a process or a mechanism by which users affirm they are of legal purchase age. Age affirmation mechanisms may vary depending upon available technology and examples could include, among other things, an age affirmation page, an email or instant messaging age affirmation, or the use of a site's "registered user" database of users of legal purchase age.

User Generated Content (UGC) is material (including text, pictures, audios, and videos) that has not been created by the brand advertiser, but by a user. UGC that appears on a site or web page controlled by the brand advertiser should be monitored each business day or, at a minimum, every five business days. When content is determined to be inappropriate, the inappropriate material should be removed promptly. A disclaimer should appear saying that all inappropriate content generated by users will be removed from the site or web page over which the brand advertiser has control.

"Forwardable" content is any branded digital content placed on a site in a manner that is designed or enabled to be shared, such as with a share, download or email "button click." Such content should include instructions to individuals downloading the content that they should not forward these materials to individuals below the legal purchase age.

Privacy policies govern the collection of personal information from adults of legal purchase age and encompass any direct digital marketing or advertising controlled by the brand whether conducted through a social networking site, website or other digital channel and must ensure the following:

- Prior to the collection of any information, the brand advertiser will require that individual to affirm that they are of legal purchase age and user information only can be collected from those individuals who are of the legal purchase age.

- The brand advertiser shall employ a mechanism for a user to "opt-in" before receiving a direct digital marketing communication and to "opt-out" to discontinue receiving such direct communications.
- Clear information must be provided about collection and use of personal data. Under no circumstances will the information collected be sold or shared with third parties unrelated to the brand advertiser.
- Users should be encouraged to read the privacy statement before submitting their information.
- Measures will be taken to keep user information secure and protected from loss or theft.