

Numerous CBS Outdoor Alcohol Advertisements

Endanger San Francisco Children

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Principal Author, Michele Simon, JD, MPH

EXECUTIVE SUMMARY

A shocking number of beer, wine and hard liquor ads are on San Francisco's transit shelters, triggering dozens of violations of national standards and the CBS Outdoor contract with the Municipal Transportation Agency ("MTA"). The ads endanger children and youth through exposure to harmful alcohol messages. Kids exposed to alcohol ads are more likely to drink, and to drink to excess. Marin Institute conducted a survey on January 8, 2007 in three San Francisco supervisor districts, surveying public and private schools and accredited colleges.

We found 15 alcohol ads in direct defiance of CBS Outdoor's contract with MTA near schools, and another 7 violations of the notoriously weak and un-enforced alcohol industry guidelines designed to reduce youth exposure. Eleven ads were located near elementary, middle or high schools. Brands featured in the offending ads include Miller beer (4 ads), Yellow Tail chardonnay (5 ads), Glenfiddich scotch (3 ads), and Bailey's Irish Cream (3 ads). Extrapolating to the entire city (all 11 districts), we conservatively estimate that at least 55 ads are in direct violation of the CBS Outdoor and MTA contract. Furthermore, we conservatively estimate at least 81 violations of both contract and national standards city wide.

We call on CBS Outdoor to immediately remove the offending ads and for MTA to enforce its contract. This study highlights the utter failure of industry-monitored, voluntary alcohol advertising guidelines in a major city.

BACKGROUND

CBS Outdoor is the nation's largest outdoor advertiser. For the past 19 years, CBS Outdoor (which took over Viacom advertising) has contracted with the Municipal Transportation Agency ("MTA") to build and maintain the city's bus shelters in exchange for advertising. An amendment to the contract was approved in November 2006 that incorporates MTA's long-standing policy against both tobacco and alcohol advertisements.

The contract with CBS Outdoor clearly states that "no advertisement posted on MTA property shall promote alcoholic beverages."¹ In addition, national voluntary advertising standards, for both hard liquor (distilled spirits) and beer, prohibit ads from within 500 feet of elementary and secondary schools, churches, and playgrounds. Sadly, there are no similar national standards for wine billboards.

Specifically, the Beer Institute Advertising and Marketing Code states: "Billboard advertisements by brewers shall be located at least 500 linear feet from established and conspicuously identified elementary or secondary schools, places of worship, or public playgrounds."² The Distilled Spirits Council of the United States (DISCUS) Code of Responsible Practices states: "Beverage alcohol advertising should not be placed on any outdoor stationary location within 500 feet of an established place of worship or an elementary school or secondary school."³ The MTA and CBS Outdoor contract language actually goes further than either of these codes in that it does not allow all alcohol advertising at all.⁴

SURVEY RESULTS – AD POLICY VIOLATIONS

The staff of Marin Institute comprehensively surveyed MUNI bus shelter ads within 500 feet of any SFUSD school or accredited college in SF Supervisor Districts 1, 5 and 7 on Monday, January 8, 2007 between 1pm and 4pm. We also noted other ads, such as those found near private schools, churches, and playgrounds.

We found in those districts a total of 15 ads that violated the contract language of CBS Outdoor and MTA. Of these, 7 were within 500 feet of an elementary school, 4 were within 500 feet of a middle or high school, and 4 were near a college. (See table below for details.) These 15 alcohol

ads were in direct defiance of CBS Outdoor's contract with MTA and another 7 constituted violations of the notoriously weak and un-enforced alcohol industry guidelines designed to reduce youth exposure.

All 15 ads found within the three districts surveyed were for the following four alcohol products: Miller beer (4 ads), Glenfiddich scotch (3 ads), Yellow Tail wine (5 ads), and Bailey's Irish Cream (3 ads).

In addition, outside the core schools/district survey, we incidentally noted another 8 ads in violation of industry guidelines and numerous near violations. In addition to repeated ads by the above companies, other ads were for Smirnoff Black Cherry (at Glen Park BART station) and Hennessy cognac (Church and Market). Notably, a Glenfiddich ad violation on Geary and Fillmore is within 300 feet of Jones Memorial United Methodist Church. The pastor is Rev. Dr. James McCray, Jr., the Chairman of the Board of Directors of the Municipal Transportation Agency, which contracts with CBS Outdoor.

Near Church and Market there are three liquor ads within 300 feet of St. Francis Lutheran Church, all violations of the DISCUS code. A Yellowtail wine ad is about 400 feet from Parque de los Niños on 23rd and Folsom, a popular spot for Mission families. Clearly violations and near violations are extensive throughout the city, justifying our conservative citywide estimates.

The survey findings were just the tip of the iceberg, since we limited our scope to schools. The extent of CBS Outdoor violations citywide – literally dozens – indicate either a blatant ignorance of the MTA contract and national standards, or an intentional disregard on behalf of alcohol industry advertising clients who may be deliberately targeting children and youth.

WHY IT MATTERS - HARM TO YOUTH

Research has consistently demonstrated that alcohol is the drug of choice among children and adolescents. According to the federal government, each year, about 5,000 youth under age 21 die from motor vehicle crashes, injuries, and homicides and suicides that involve underage drinking.⁵ The earlier kids start drinking the more likely they are to become alcohol-dependant. Kids who start drinking by age 14 are four times more likely to become alcohol dependent than if they started at 21 or older.⁶ Most importantly to this analysis, the more ads kids see, the more likely they are to drink, and drink to excess.⁷ The Institute of Medicine, an expert advisory body to the federal government, has recommended that alcohol companies and commercial media refrain from targeting youth “to reduce youthful exposure to alcohol advertising and marketing activity.”⁸

RECOMMENDATIONS

In light of the consistent violations of both the contract between CBS Outdoor and MTA, as well as the industry’s own national voluntary guidelines, Marin Institute recommends that the following actions be taken:

- 1) CBS Outdoor immediately conduct a comprehensive review of all advertisements on MUNI property and remove all offending ads.
- 2) MTA immediately take steps to enforce compliance with its own contract.
- 3) The alcohol industry trade groups enforce their own voluntary guidelines.
- 4) The offending alcohol companies ensure that out-of-compliance ads are removed.
- 5) San Francisco ban alcohol ads on MUNI property by implementing its stated Municipal Transportation Commission policy against alcohol ads. The Bay Area Rapid Transit system does not allow any alcohol advertising; San Francisco should also be a national leader on this issue.
- 6) San Francisco consider targeted bans of alcohol ads on city and county property.
- 7) Congress and the Federal Trade Commission hold hearings on the alcohol industry’s blatant disregard for its own guidelines around the nation.

APPENDIX – TABLE 1

**MTA Contract and Industry Code Violations
for Alcohol Ads Found within 500 Feet of a School**

Sup. Dist.	Alcohol brand in Ad	School Found within 500 feet	MTA contract violation?	Industry Code Violation?
5	Glenfiddich Scotch	Avila Elementary School	Yes	Distilled Spirits Council
5	Baileys Irish Cream	Avila Elementary School	Yes	Distilled Spirits Council
1	Miller Genuine Beer	Sutro Elementary School	Yes	Beer Institute
1	Yellow Tail Wine	St. Monica Elementary School	Yes	(no wine standards)
1	Miller Genuine Beer	Argonne Elementary School	Yes	Beer Institute
5	Yellow Tail Wine	SF Day School (Elementary)	Yes	(no wine standards)
1	Glenfiddich Scotch	Roosevelt Middle School	Yes	Distilled Spirits Council
5	Yellow Tail Wine	Lycee Francais School (K-12)	Yes	(no wine standards)
7	Baileys Irish Cream	Riordon High School	Yes	Distilled Spirits Council
7	Miller Genuine Beer	Riordon High School	Yes	Beer Institute
5	Yellow Tail Wine	Gateway High School	Yes	(no college standards)
7	Baileys Irish Cream	San Francisco City College	Yes	(no college standards)
7	Miller Genuine Beer	San Francisco City College	Yes	(no college standards)
5	Yellow Tail Wine	University of San Francisco	Yes	(no college standards)
5	Glenfiddich Scotch	UCSF Medical School	Yes	(no college standards)
TOTAL VIOLATIONS:		MTA contract	15	
TOTAL VIOLATIONS:		MTA contract & industry	22	
TOTAL CITY est.		MTA contract	55	(methodology: 11 districts / 3 * Total)
TOTAL CITY est.		MTA contract & industry	81	(methodology: 11 districts / 3 * Total)

¹ See Exhibit M – “Policy Governing Advertising on MTA Property,” available at: http://www.sfmuni.com/cms/brd/mta/documents/mx060801_v6.pdf (p. 83). (The addendum to the contract does allow for limited alcohol advertising in South Bayshore and Embarcadero.)

² Beer Institute Advertising and Marketing Code, available at: <http://www.beeresponsible.com/advertising/AdAndMarketingCode.html>.

³ Distilled Spirits Council of the United States Code of Responsible Practices for Beverages Alcohol Advertising and Marketing, available at: <http://www.discus.org/responsibility/code/read.asp>.

⁴ With the exception noted in footnote 1.

⁵ National Institute on Alcohol Abuse and Alcoholism: <http://www.niaaa.nih.gov/AboutNIAAA/NIAAASponsoredPrograms/underage.htm>.

⁶ Hingson RW, Hereen T, Winter MR. 2006. Age at drinking onset and alcohol dependence: Age at onset, duration, and severity. Archives of Pediatrics & Adolescent Medicine.

⁷ How Does Alcohol Affect the World of the Child? National Institutes of Health report: <http://www.alcoholfreechildren.org/gs/pubs/pdf/statbooklet.pdf>.

⁸ “Reducing Underage Drinking: A Collective Responsibility,” Institute of Medicine, (2003) National Academies Press.