

# MEAS Code of Practice

## Second Report

MEAS



ENCOURAGING  
RESPONSIBLE MARKETING



## MEAS (Mature Enjoyment of Alcohol in Society Limited)

MEAS (Mature Enjoyment of Alcohol in Society Limited)

MEAS, the Irish word for respect, encapsulates a core value of our organisation – we must respect alcohol and when we consume it we must respect ourselves and respect others.

MEAS, a registered charity, was established in 2002 by the principal companies and trade organisations in the Drinks Industry to promote social responsibility within the industry and moderate consumption by those who choose to drink, in order to reduce alcohol abuse and related harm. MEAS is committed to the promotion of the highest ethical standards within the Drinks Industry, and does not condone any misuse or abuse of alcohol. Operationally independent from Drinks Industry companies, MEAS has no economic purpose.

MEAS's member companies and organisations are:

- Beamish & Crawford plc
- C&C Group plc
- Diageo Ireland
- Drinks Industry Group of Ireland
- Edward Dillon & Co. Ltd
- Heineken Ireland
- InBev Ireland
- Irish Distillers Ltd.
- Licensed Vintners Association
- Vintners' Federation of Ireland

If you would like to know more about MEAS, please visit [www.meas.ie](http://www.meas.ie).

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## FOREWORD

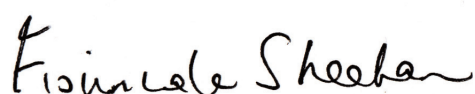
As noted in the first MEAS Code report there has been considerable concern in Ireland in recent years about alcohol misuse, underage drinking and drink driving, and much debate about the role and impact of alcohol marketing.

In response to these concerns a number of initiatives, both voluntary and legislative, have been implemented. The voluntary initiatives include establishment of a suite of codes agreed by the drinks, media and advertising industries in consultation with the Department of Health and Children. A monitoring body established by the Minister for Health and Children has reported on the operation of these codes and its recommendations are currently under consideration. The review of statutory codes undertaken by the Broadcasting Commission, recently completed, embraced alcohol marketing, as did the review of voluntary codes by the Advertising Standards Authority for Ireland, also recently completed. The Guidance Notes supporting the MEAS Code of Practice were also reviewed and revised recently; a second edition of these Guidelines was published in March, 2007 and a further amendment was made in December, 2007.

'Happy Hours' promotions were outlawed by the Intoxicating Liquor Act, 2003. The inclusion of alcohol in the repeal of the Groceries Order in 2006 resulted in a predictable price war in the off-trade in Ireland in late 2006 and 2007. The extent and nature of the promotions by some off-trade retailers has raised particular concern. An Advisory Body, established by the Minister for Justice, Equality and Law Reform, will report on its recommendations in this area in 2008. This is a welcome development.

All decisions of the Independent Complaints Panel established to adjudicate on complaints under the MEAS Code of Practice were published once finalised. This 'name and shame' action has proved to be an effective sanction as well as a very useful and important means of raising public awareness of the Code complaints forum: the number of complaints decided on by the Panel in the period May to December, 2007 (13) is greater than the number (11) decided on in the period from May, 2004 to February, 2007; and virtually all complaints reported on in this publication were made by members of the public. It is worth noting that some complaints received by the Code Secretariat were referred to the Gardaí.

The evidence supports the continuance and adaptation of a regulatory architecture which rests on regulations, both legislative and voluntary, which have the capacity to respond quickly to public concern and marketing innovation. Considerable progress has been made in this area in recent times. The notable deficiency to date has been the absence of a holistic view and a sufficiently joined up approach to alcohol policy development and its implementation. The Sustaining Progress Working Group on Alcohol Misuse has made good progress in this area. It is critical to the enduring success of any new initiatives that this deficiency is remedied.



Fionnuala Sheehan  
Chief Executive  
MEAS

## THE INDEPENDENT COMPLAINTS PANEL CHAIRMAN'S REPORT

This report, which covers the ten month period March – December 2007, is the second report to be presented since the Panel took office in mid 2004. I noted in my comments on our first report that the work of the Panel began slowly as there were few complaints under the Code initially. There was an increase in the number of complaints in 2006 and this trend has continued in the period under review with a total of thirteen complaints.

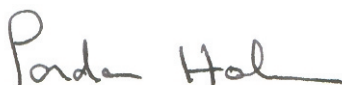
All but two of these complaints referred to promotional activity in specific licensed premises, which in the view of the complainants encouraged irresponsible or immoderate consumption of alcohol. In a number of cases, the premises had been hired by outside promoters who had advertised events in a manner which, it was alleged, involved incitement to irresponsible or immoderate drinking. In five cases, the complaints were received before the advertised dates for the events and I am happy to report that the intervention by MEAS in contacting the managements of the premises resulted in reasonable efforts being made by them to ensure that the promotions as advertised did not take place. In our decisions on these complaints, we drew attention to the fact that in such cases the licensee has the ability to impose conditions on any third party it rents its premises or part thereof to, or permits to organise and promote an event on its premises. We pointed out that the licence holder is the party required to adhere to the Liquor Licensing Laws and retains that responsibility, irrespective of any arrangements involving third parties on or in relation to the premises for which the licence is granted.

There are still a number of issues to be addressed before the problem of excessive drinking can be contained. MEAS has spearheaded communications campaigns to promote responsible drinking. Such campaigns are a commendable effort to educate the public, but it is an education which requires the co-operation of all relevant agencies and all of the public. The pricing of alcohol presents its own problems. Many of the supermarkets and off-licenses have surprisingly low prices. Some members of the medical profession recommend increased excise duty to lead to higher prices. These are all issues that require attention, and immediate attention.

The Panel has given every complaint very careful consideration and in this report we have set out clear and detailed explanations for our decisions. We are hopeful that this information may be a useful guide for those involved in the industry.

The Panel membership is fully independent and brings a wide variety of experience to our deliberations. One member of the Panel resigned during the period under review. Ms. Anita McCann was a Panel member since its inception and I take this opportunity to thank her most sincerely for her contribution to our work. Mr. Frances Linden joined the Panel on 1 July, 2007 and he is a most welcome new member.

I am very grateful to my fellow panel members for their input and dedication and to the MEAS Secretariat for their essential support.



Dr Gordon Holmes  
Chairman  
Independent Complaints Panel

## INDEPENDENT COMPLAINTS PANEL DECISIONS

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## Parker Browns Niteclub - Alcohol Promotion

Final Decision: 3 May 2007

Parker Browns Niteclub, Dundrum Town Centre, Sandyford Road, Dublin 16

### COMPLAINT SUMMARY

The complainant has alleged that drinks promotions undertaken by Parker Browns, namely the “Sundays @ Parker Browns Niteclub” promotion which involves free admission before 11.00pm, “free drinks for the first 100 people and 3 bottles of Corona for €10” will encourage illegal, irresponsible or immoderate drinking.

#### Complainant

Member of the public

### DECISION

Under Code paragraph 3.2 (f): **Upheld.**

The Panel noted MEAS Code paragraph 3.2 (f) which states:

*“3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;”*

The Panel also noted the MEAS Guidance Notes on Point of Sale Promotions and Materials and Serving of Multiple Drinks state that:

*“...promotions identified and agreed to be those that should not be run as they are either unlawful, or entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour”* include

*“Promotions that involve free drinks or reduced drinks for a limited period of a day - e.g. Free vodka between 10pm and 12pm”;*

*“Promotions that encourage or reward the purchase or drinking of large quantities of alcohol in a single session”;*

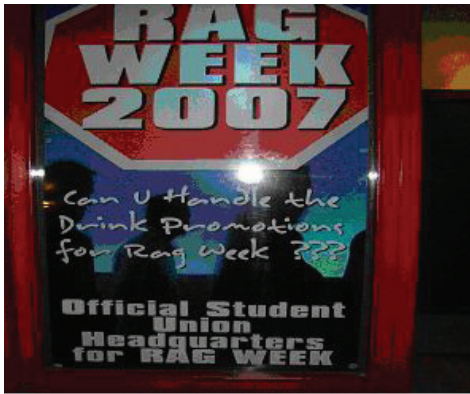
*“Reward schemes that are only redeemable over short periods, thereby encouraging the purchase and consumption of large quantities of alcohol over a short period of time”* and

*“Promotions that involve buying an alcoholic product to get another one free”.*

The Panel reviewed the advertisement on the afterdark.ie website on 3 April, 2007 which promoted “Sundays @ Parker Browns”. It noted that the doors opened at 10.30pm with free admission before 11.00pm. It noted the statements in the advertisement “FREE Drink for the First 100 people in!” and “3 BOTTLES OF CORONA €10” and “2 JAGER BOMBS €10”.

The Panel considered the different aspects of the promotion and concluded that it clearly fell within the category of promotions identified in the MEAS Guidance Notes. The Panel identified it as a type of promotion that should not be run as it “entails a disproportionate risk... it will lead directly to alcohol misuse and anti-social behaviour.” The Panel therefore found the promotion in breach of Code paragraph 3.2 (f).

The Panel was pleased to note the statement from the General Manager of Parker Browns Niteclub that the promotion was withdrawn with immediate effect following receipt of correspondence from the Code Secretariat about the complaint and that promotions of this nature will not occur again. The Panel wished to draw attention to the need for supervision of all promotional activities on licensed premises and to the risk of inappropriate promotional practices being engaged in, in circumstances when entertainment operators are given full access to licensed premises.



## Leverett and Fyre

Leverett & Fyre Licensed Premises, 56 Dublin Street, Carlow

Final Decision: 3 May 2007

### COMPLAINT SUMMARY

The Complainant has alleged that the promotion undertaken by Leverett & Frye involving display of a floor to ceiling height advertisement on the front wall of the premises stating (falsely) that the premises is the "Official Student Union Headquarters for RAG WEEK", and including in such advertising in prominent lettering the words "RAG WEEK 2007" and "Can U Handle the Drink Promotions for Rag Week???" will encourage illegal, irresponsible, or immoderate consumption of alcohol.

### COMPLAINANT

Students Union, Carlow Institute of Technology

### DECISION

Under Code paragraph 3.2 (f): **Upheld.**

The Panel noted Code provision 3.2 (f) which states

*"3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;"*

The Panel reviewed photographs of the advertising in the front window of Leverett & Fyre's premises. It was the Panel's view that consideration of the veracity of the statement "Official Student Union Headquarters for RAG WEEK" on the advertising did not fall within its remit under the MEAS Code. In relation to the phrase on the advertising "Can U Handle the Drink Promotions for Rag Week???", the Panel considered that it constituted a challenge to the target market, the students of Carlow Institute of Technology, to drink immoderately and concluded the advertisement was in breach of Code paragraph 3.2 (f).



## Citi Bar & Venue - Alcohol Promotion

Final Decision: 3 May 2007

Citi Bar & Venue, Dublin Citi Hotel, 46/49 Dame Street, Dublin 2

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### COMPLAINT SUMMARY

The Complainant has alleged that a drinks promotion being undertaken by Citi Bar and Venue on Thursday nights will encourage illegal or irresponsible drinking. The promotion is advertised under the heading 'SMASHED EVERY THURSDAY' and includes a 'Double Vodka & Shark Bucket' for €6. These words "€6 Double Vodka & Shark Bucket" are printed over an image of a bucket.

### COMPLAINANT

Member of the public

### DECISION

Under Code paragraph 3.2 (f): **Upheld.**

The Panel noted Code provision 3.2 (f) which states

*"3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;"*

The Panel also noted that the MEAS Guidance Notes on Point of Sale Promotions and Materials and Serving of Multiple Drinks states

*"...promotions identified and agreed to be those that should not be run as they are either unlawful, or entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour" include*

*"Promotions that encourage or reward the purchase or drinking of large quantities of alcohol in a single session."*

The Panel reviewed the flyer advertising for the promotion. It noted the word "SMASHED" was printed in yellow against a blue background and in large capital letters at the top of the flyer; and that the words "EVERY THURSDAY" were printed in white, in capital letters, immediately below the word "SMASHED". The Panel also noted the image of a bucket on the right hand side of the flyer over which was printed the words "€6 Double Vodka & Shark Bucket".

The Panel understood the words "SMASHED EVERY THURSDAY" as a phrase which promoted irresponsible alcohol consumption; the addition of the "€6 Double Vodka & Shark Bucket" promotion further suggested the promotion of immoderate alcohol consumption.

The Panel concluded that the promotion clearly fell within the category of promotions identified in the MEAS Guidance Notes and agreed to be those that should not be run as they "entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour", and therefore breached Code paragraph 3.2 (f).

The Panel was pleased to note the statement from the General Manager of Citi Bar & Venue that the promotion was withdrawn following receipt of correspondence from the Code Secretariat about the complaint.



## Feckin Irish Whiskey

*The Feckin Drinks Company, Co. Down and produced by Cooley Distillery, Co. Louth*

*Final Decision: 22 May 2007*

### COMPLAINT SUMMARY

The complainant has alleged that the product label which refers to “infamy, dishonesty and villainy” as necessary product ingredients, and the product name which incorporates the word “Feckin”, breach the MEAS Code of Practice on the Naming, Packaging, and Promotion of Alcoholic Drinks. The words “infamy, dishonesty and villainy” are misleading and are “particularly derogatory towards things Irish”. The incorporation of the word “Feckin” into the product name “leaves a lot to be desired” and is “a cheap marketing stunt. The product should not be allowed to be on sale with such insulting labelling”.

discussion that while these words were used in poor taste they did not contravene any provision of the Code. The Panel, therefore, did not uphold the complaint.

### COMPLAINANT

Member of the public

### DECISION

Under Code paragraphs 3.2 (b), 3.2(d), and 3.2 (i):  
**Not Upheld.**

The Panel reviewed a sample bottle of the product, as well as correspondence from the Managing Director of The Feckin Drinks Company, which included arguments made in relation to the use of the phrase “Infamy, dishonesty and villainy” and the name of the product. The Panel also reviewed printed pages from the drinks company’s website.

In relation to the name of the product the Panel concluded that while the use of the word “Feckin” was distasteful, it is a word that is commonly used in everyday speech and generally not in a context which has sexual connotations or other connotations that would put it in breach of the provisions of the Code. Similarly, in relation to the phrase “infamy, dishonesty and villainy”, the Panel concluded following detailed



## StiffyS Shots

Final Decision: 9 July 2007

StiffyS Shots Limited. 7C Bandedath Industrial Estate, Throsk, Stirling, FK7 7NP.

### COMPLAINT SUMMARY

The complainant has alleged that the name of the product “StiffyS Shots” breaches the MEAS Code of Practice on the Naming, Packaging, and Promotion of Alcoholic Drinks. The complainant has stated that “the word ‘Stiffy’ brings to mind connotations of an erection and could suggest that upon consumption the consumer becomes more virile and/or attractive to the opposite sex. Their [StiffyS Shots] website also advertises the drink as being ‘the ultimate in modern day, sophisticated shooters with the classic old school cola cubes flavour’. Cola cubes are a popular confectionery amongst school goers and therefore it appears the promoters wish their product to appeal to under 18’s.”

### COMPLAINANT

Vintners’ Federation of Ireland

### DECISION

Under Code paragraphs 3.2 (d), 3.2(g) and 3.3: **Upheld**

The Panel reviewed sample bottles of the product, product point of sale materials, colour prints of pages on the StiffyS website, correspondence from the Managing Director of VC2 Brands (the company that owns StiffyS Shots Limited and the brand, StiffyS Shots) as well as correspondence relating to a complaint made in 2004 to the Portman Group Limited concerning the product and product website.

The Panel considered in detail the arguments made by the brand owner regarding the name of the brand “StiffyS Shots”, and whether the brand name suggested an association with sexual success or prowess. It noted the points made by VC2 Brands, in particular that Stiffy is the nickname of the person who invented the product flavours. The Panel noted that a ‘Stiffy’ was a slang word commonly used for an erection and was described in the Oxford English Dictionary (Oxford University Press 2001 edition) as “*vulgar slang, an erection of a man’s penis*”. It also noted the absence of the possessive apostrophe in the brand name, and considered the point made by the

Managing Director of VC2 Brands, in response to this omission, that the label design has the wording as “StiffyS Shots” (with the final “s” in the word “Stiffys” printed in capital lettering).

The Panel noted the frequent presence of the phrase “Do your thing” across many of the brand website images; that some of these images showed attractive, scantily clad models; and that the word “suck” which could have sexual connotations was highlighted on one of the images. The Panel noted that the models were, or looked as if they were, over twenty-five years of age. The Panel considered the argument made that “Do Your Thing” suggested “no peer pressure and...that the drinker should do their own thing and not what others wanted you to do” and concluded that, in combination, the brand name and the wording and imagery employed in the website had sexual connotations and were in breach of Code paragraph 3.2 (d).

The Panel then considered whether the brand or associated product labelling used words which can cause confusion with existing popular drinks which are non-alcoholic and if the product had, in any direct or indirect way, a particular appeal to under 18s.

The Panel noted that the product flavour variants included “Kola Kubez”, “Tutti Fruitti” and “Apple Tang”. “Kola Kubez” is a confectionery popular with children, “Tutti Fruitti” is the name of an ice pop popular with children, and “Tang” is the name of a soft drink that regularly features on the popular television programme “The Simpsons”. The Panel noted the predominant use of strong colours for both the content of the product containers and the product labelling. While the words “Vodka Drink” were clearly printed across the product labels and above the flavour descriptor, the Panel concluded that in the case of the “Kola Kubez”, “Tutti Fruitti”, “Deep Purple” and “Apple Tang” flavour variants the variant name and labelling could cause confusion with popular drinks and confectionery which are non-alcoholic. The Panel therefore found the product in breach of Code paragraphs 3.2 (g) and 3.3.

## DTwo - Alcohol Promotion

Final Decision: 9 July 2007

DTwo Bar, Harcourt Hotel, 60 Harcourt Street, Dublin 2

### COMPLAINT SUMMARY

The complainant has alleged that the drinks promotion advertised on [www.MidnightEvents.bebo.com](http://www.MidnightEvents.bebo.com) on 16 May, 2007 and to be undertaken at DTwo Bar, Harcourt Hotel, 60 Harcourt Street, Dublin 2 on 19 June, 2007 will encourage illegal, irresponsible or immoderate drinking. The promotion states:

*"The Five Night Finish is nearly upon us! Five nights of Savage drinks promos, Team Midnight, drinking games Beer Bongs... Celebrating The Leaving Cert will be OVER!!! Time to celebrate!! Taking celebrating to the extreme??? Each Night were giving away €250 cash. All you have to do is nominate yourself! What can you do???? Whatever you think, what ever you want! Strip, dance, score. Do you have what it takes??*

*Were gonna bring the best nominees, put them on polls for the different nights, whoever gets the most votes, whoever is gonna be the most outrageous, most entertaining, performs on the night and gets the cash!*

*In association with Mickey Finns. Win a limo for you and ten friends to the LC Ball stuffed with free Mickey Finns, go to all four nights, and we'll put you in a draw. Winner announced Friday morning, June 22nd!!!"*

### COMPLAINANT

Member of the public

### DECISION

Under Code paragraph 3.2 (d) and 3.2 (f): **Not upheld**

The Panel noted Code provision 3.2 (f) which states

*"3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;"*

The Panel also noted that the MEAS Guidance Notes on Point of Sale Promotions and Materials and Serving of Multiple Drinks state

*" promotions identified and agreed to be those that should not be run as they are either unlawful, or entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour" include*

*"Drinking Games - these tend to encourage either rapid drinking or the drinking of large quantities of alcohol and therefore should not be run."*

The Panel noted that the promotion complained of was directed at the Leaving Certificate student market and that the age-range of this target group was in the 17 to 19 year old age bracket.

The Panel reviewed the text of the promotion and noted in particular the references to *"Savage drinks promos"*, *"drinking games Beer Bongs"*, *"Taking celebrating to the extreme???"*, *"Win a limo for you and ten friends to the LC Ball stuffed with free Mickey Finns"* and concluded that the advertisement was an incitement to irresponsible or immoderate consumption of alcohol and was in breach of MEAS Code paragraph 3.2 (f).

The Panel noted the references in the promotion to a €250 cash giveaway as part of the promotional event; *"Each Night were giving away €250 cash. All you have to do is nominate yourself! What can you do???? Whatever you think, what ever you want! Strip, dance, score. Do you have what it takes?? Were gonna bring the best nominees, put them on polls for the different nights, whoever gets the most votes, whoever is gonna be the most outrageous, most entertaining, performs on the night and gets the cash!"*

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The Panel concluded the promotion suggested an association with sexual success or prowess and found it in breach of MEAS Code paragraph 3.2 (d).

The Panel reviewed the correspondence from the General Manager of DTwo Bar in which it was stated that she was unaware that the *“function booked for 19th June with Midnight Events...was going to be promoted in this way...and [had] at no point agreed any drink promotion on this night. However, in light of this complaint we have cancelled this function and will NOT be hosting the event with Midnight Events.”*

The Panel concluded that while the promotion was in breach of MEAS Code paragraphs 3.2 (d) and 3.2 (f) the licensee responded in a timely and appropriate manner in cancelling the event. The Panel therefore decided not to uphold the complaint against DTwo.



Russell Court Hotel

## Carnival - Alcohol Promotion

Carnival, Russell Court Hotel, Dublin 2

Final Decision: 30 August 2007

### COMPLAINT SUMMARY

The complainant has alleged that the drinks promotion advertised on [www.MidnightEvents.bebo.com](http://www.MidnightEvents.bebo.com) on 16 May, 2007 to be undertaken at Carnival, Russell Court Hotel, Dublin 2 on 20 June, 2007 will encourage illegal, irresponsible or immoderate drinking. The promotion states:

*"The Five Night Finish is nearly upon us! Five nights of Savage drinks promos, Team Midnight, drinking games Beer Bongs...Celebrating The Leaving Cert will be OVER!!! Time to celebrate!! Taking celebrating to the extreme??? Each Night were giving away €250 cash. All you have to do is nominate yourself! What can you do???? Whatever you think, what ever you want! Strip, dance, score. Do you have what it takes??*

*Were gonna bring the best nominees, put them on polls for the different nights, whoever gets the most votes, whoever is gonna be the most outrageous, most entertaining, performs on the night and gets the cash!*

*In association with Mickey Finns. Win a limo for you and ten friends to the LC Ball stuffed with free Mickey Finns, go to all four nights, and we'll put you in a draw. Winner announced Friday morning, June 22nd!!!"*

### COMPLAINANT

Member of the public

### DECISION

Under Code paragraph 3.2 (d) and 3.2 (f) :

**Not upheld on this occasion**

The Panel noted Code provision 3.2 (f) which states

*"3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;"*

The Panel also noted that the MEAS Guidance Notes on Point of Sale Promotions and Materials and Serving of Multiple Drinks state

*"...promotions identified and agreed to be those that should not be run as they are either unlawful, or entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour" include*

*"Drinking Games - these tend to encourage either rapid drinking or the drinking of large quantities of alcohol and therefore should not be run."*

The Panel reviewed the text of the promotion and noted in particular the references to *"Savage drinks promos"*, *"drinking games Beer Bongs"*, *"Taking celebrating to the extreme???"*, *"Win a limo for you and ten friends to the LC Ball stuffed with free Mickey Finns"* and concluded that the advertisement was an incitement to irresponsible or immoderate consumption of alcohol and was in breach of MEAS Code paragraph 3.2 (f).

The Panel noted the references in the promotion to a €250 cash giveaway as part of the promotional event; *"Each Night were giving away €250 cash. All you have to do is nominate yourself! What can you do???? Whatever you think, what ever you want! Strip, dance, score. Do you have what it takes?? Were gonna bring the best nominees, put them on polls for the different nights, whoever gets the most votes, whoever is gonna be the most outrageous, most entertaining, performs on the night and gets the cash!"*

The Panel concluded the promotion suggested an association with sexual success or prowess and found it in breach of MEAS Code paragraph 3.2 (d).

The Panel reviewed the correspondence from the Managing Director of the Russell Court Hotel. In this correspondence, the Managing Director stated that his premises was not connected with the promotion, that it has its *"own promotion company who have advised us that this promotion was through an outside promoter – Midnight Events – J.White"* and that *"Our legal team are presently dealing with this unauthorised advertisement"...* *"As soon as our promotion team were*



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*made aware of this advertisement, they made sure it was removed from the Bebo site”...“The events as advertised in this promotion did not take place”... “I myself was on duty on this particular night... We were extremely unhappy with this advertisement and ensured it was removed quickly”.*

The Managing Director outlined the nature of the promotion it undertook for the event which included “BBQ food sold at reduced prices...”

The Panel noted that the licensee, the Russell Court Hotel, has the ability to impose conditions on any third party that rents its premises or part thereof to, or permits to organise and promote an event on its premises.

The Panel wished to draw attention to the fact that the license holder is the party required to adhere to the Liquor Licensing Laws and retains that responsibility, irrespective of any arrangements involving third parties on or in relation to the premises for which the license is granted. While the MEAS Code is a voluntary code the Panel considered it reasonable that the same standard of responsibility should prevail as applies to the licensee under the Liquor Licensing Laws.

The Panel noted that the management of the Russell Court Hotel had made reasonable efforts to ensure the promotion as advertised did not take place. The Panel also noted that this was the first occasion that a complaint involving a third party promotion was made against the licensee. In light of this, the Panel did not uphold the complaint against the licensee and noted that any repetition of the promotion complained of would result in a breach of the MEAS Code.



## Citi Bar & Venue - Alcohol Promotion

Final Decision: 30 August 2007

Citi Bar & Venue, Dublin Citi Hotel, 46/49 Dame Street, Dublin 2

### COMPLAINT SUMMARY

The complainant has alleged that the drinks promotion advertised on [www.MidnightEvents.bebo.com](http://www.MidnightEvents.bebo.com) on 16 May, 2007 to be undertaken at Citi Bar & Venue, Dublin Citi Hotel, 46/49 Dame Street, Dublin 2 on 18 June, 2007 will encourage illegal, irresponsible or immoderate drinking. The promotion states:

*"The Five Night Finish is nearly upon us! Five nights of Savage drinks promos, Team Midnight, drinking games Beer Bongs... Celebrating The Leaving Cert will be OVER!!! Time to celebrate!! Taking celebrating to the extreme??? Each Night were giving away €250 cash. All you have to do is nominate yourself! What can you do???? Whatever you think, what ever you want! Strip, dance, score. Do you have what it takes??*

*Were gonna bring the best nominees, put them on polls for the different nights, whoever gets the most votes, whoever is gonna be the most outrageous, most entertaining, performs on the night and gets the cash!*

*In association with Mickey Finns. Win a limo for you and ten friends to the LC Ball stuffed with free Mickey Finns, go to all four nights, and we'll put you in a draw. Winner announced Friday morning, June 22nd!!!"*

### COMPLAINANT

Member of the public

### DECISION

Under Code paragraph 3.2 (d) and 3.2 (f): **Not upheld on this occasion**

The Panel noted Code provision 3.2 (f) which states

*"3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;"*

The Panel also noted that the MEAS Guidance Notes on Point of Sale Promotions and Materials and Serving of Multiple Drinks state:

*"...promotions identified and agreed to be those that should not be run as they are either unlawful, or entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour"* include

*"Drinking Games - these tend to encourage either rapid drinking or the drinking of large quantities of alcohol and therefore should not be run"*

The Panel noted that the promotion complained of was directed at the Leaving Certificate student market and that the age-range of this target group was in the 17 to 19 year old age bracket.

The Panel reviewed the text of the promotion and noted in particular the references to *"Savage drinks promos"*, *"drinking games Beer Bongs"*, *"Taking celebrating to the extreme???"*, *"Win a limo for you and ten friends to the LC Ball stuffed with free Mickey Finns"* and concluded that the advertisement was an incitement to irresponsible or immoderate consumption of alcohol and was in breach of MEAS Code paragraph 3.2 (f).

The Panel noted the references in the promotion to a €250 cash giveaway as part of the promotional event;

*"Each Night were giving away €250 cash. All you have to do is nominate yourself! What can you do???? Whatever you think, what ever you want! Strip, dance, score. Do you have what it takes?? Were gonna bring the best nominees, put them on polls for the different nights, whoever gets the most votes, whoever is gonna be the most outrageous, most entertaining, performs on the night and gets the cash!"*

The Panel concluded the promotion suggested an association with sexual success or prowess and found it in breach of MEAS Code paragraph 3.2 (d).

The Panel reviewed the correspondence from the General Manager of Citi Bar & Venue. In this correspondence the General Manager stated that it did not organise the promotion as advertised on the Bebo website and had referred the matter to its solicitors.

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The Panel noted that the licensee, Citi Bar & Venue, has the ability to impose conditions on any third party that rents its premises or part thereof to, or permits to organise and promote an event on its premises.

The Panel wished to draw attention to the fact that the license holder is the party required to adhere to the Liquor Licensing Laws and retains that responsibility, irrespective of any arrangements involving third parties on or in relation to the premises for which the license is granted. While the MEAS Code is a voluntary code, the Panel considered it reasonable that the same standard of responsibility should prevail as applies to the licensee under the Liquor Licensing Laws.

The Panel noted that the management of Citi Bar & Venue had made reasonable efforts to ensure the promotion as advertised did not take place. The Panel also noted this was the first occasion that a complaint involving a third party promotion was made against the licensee. In light of this the Panel did not uphold the complaint against the licensee and noted that any repetition of the promotion complained of would result in a breach of the MEAS Code.



## Twentyone Club - Alcohol Promotion

Twentyone Club, D'Olier Street, Dublin 2

Final Decision: 30 August 2007

### COMPLAINT SUMMARY

The complainant has alleged that the drinks promotion advertised on [www.MidnightEvents.bebo.com](http://www.MidnightEvents.bebo.com) on 16 May, 2007 and to be undertaken at Leopardstown Racecourse on 22 June, 2007 will encourage illegal, irresponsible or immoderate drinking. The promotion states:

*"The Five Night Finish is nearly upon us! Five nights of Savage drinks promos, Team Midnight, drinking games Beer Bongs... Celebrating The Leaving Cert will be OVER!!! Time to celebrate!! Taking celebrating to the extreme??? Each Night were giving away €250 cash. All you have to do is nominate yourself! What can you do???? Whatever you think, what ever you want! Strip, dance, score. Do you have what it takes??*

*Were gonna bring the best nominees, put them on polls for the different nights, whoever gets the most votes, whoever is gonna be the most outrageous, most entertaining, performs on the night and gets the cash!*

*In association with Mickey Finns. Win a limo for you and ten friends to the LC Ball stuffed with free Mickey Finns, go to all four nights, and we'll put you in a draw. Winner announced Friday morning, June 22nd!!!"*

### COMPLAINANT

Member of the public

### DECISION

Under Code paragraph 3.2(d) and 3.2(f): **Not upheld on this occasion.**

The Panel noted Code provision 3.2 (f) which states

*"3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;"*

The Panel also noted that the MEAS Guidance Notes on Point of Sale Promotions and Materials and Serving of Multiple Drinks state

*"...promotions identified and agreed to be those that should not be run as they are either unlawful, or entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour"* include

*"Drinking Games - these tend to encourage either rapid drinking or the drinking of large quantities of alcohol and therefore should not be run."*

The Panel noted that the promotion complained of was directed at the Leaving Certificate student market and that the age-range of this target group was in the 17 to 19 year old age bracket.

The Panel reviewed the text of the promotion and noted in particular the references to *"Savage drinks promos"*, *"drinking games Beer Bongs"*, *"Taking celebrating to the extreme???"*, *"Win a limo for you and ten friends to the LC Ball stuffed with free Mickey Finns"* and concluded that the advertisement was an incitement to irresponsible or immoderate consumption of alcohol and was in breach of MEAS Code paragraph 3.2 (f).

The Panel noted the references in the promotion to a €250 cash giveaway as part of the promotional event; *"Each Night were giving away €250 cash. All you have to do is nominate yourself! What can you do???? Whatever you think, what ever you want! Strip, dance, score. Do you have what it takes?? Were gonna bring the best nominees, put them on polls for the different nights, whoever gets the most votes, whoever is gonna be the most outrageous, most entertaining, performs on the night and gets the cash!"*

The Panel concluded the promotion suggested an

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association with sexual success or prowess and found it in breach of MEAS Code paragraph 3.2 (d).

that any repetition of the promotion complained of would result in a breach of the MEAS Code.

The Panel reviewed the correspondence from the General Manager of Twentyone Club & Lounge. The General Manager stated "Twentyone Club & Lounge did not endorse the irresponsible advertising by Midnight Events and were unaware of this webpage until our attention was brought to it [by the MEAS Code Secretariat]. At no stage was there a possibility that any of the listed 'drinking games' were going to be permitted within our venue under any circumstances. They were never even suggested to us by the above promoter during discussions we held with them prior to this... I contacted the promoters and the web page was taken down and upon my advice they have edited the page dramatically...The event is still scheduled to go ahead on 21st June, 2007. All our drinks on the night are at regular prices and there are no drink offers available."

The Panel noted that the licensee, Twentyone Club & Lounge, has the ability to impose conditions on any third party that rents its premises or part thereof to, or permits to organise and promote an event on its premises.

The Panel wished to draw attention to the fact that the license holder is the party required to adhere to the Liquor Licensing Laws and retains that responsibility, irrespective of any arrangements involving third parties on or in relation to the premises for which the license is granted. While the MEAS Code is a voluntary code the Panel considered it reasonable that the same standard of responsibility should prevail as applies to the licensee under the Liquor Licensing Laws.

The Panel noted that the management of Twentyone Club & Lounge had made reasonable efforts to ensure the promotion as advertised did not take place. The Panel also noted this was the first occasion that a complaint involving a third party promotion was made against the licensee. In light of this the Panel did not uphold the complaint against the licensee and noted



**Leopardstown**

**Racecourse**

## Leopardstown Racecourse - Alcohol Promotion

Final Decision: 30 August 2007

Leopardstown Racecourse, Foxrock, Dublin 18

### COMPLAINT SUMMARY

The complainant has alleged that the drinks promotion advertised on [www.MidnightEvents.bebo.com](http://www.MidnightEvents.bebo.com) on 16 May, 2007 and to be undertaken at Leopardstown Racecourse on 22 June, 2007 will encourage illegal, irresponsible or immoderate drinking. The promotion states:

*"The Five Night Finish is nearly upon us! Five nights of Savage drinks promos, Team Midnight, drinking games Beer Bongs... Celebrating The Leaving Cert will be OVER!!! Time to celebrate!! Taking celebrating to the extreme??? Each Night were giving away €250 cash. All you have to do is nominate yourself! What can you do???? Whatever you think, what ever you want! Strip, dance, score. Do you have what it takes??*

*Were gonna bring the best nominees, put them on polls for the different nights, whoever gets the most votes, whoever is gonna be the most outrageous, most entertaining, performs on the night and gets the cash!*

*In association with Mickey Finns. Win a limo for you and ten friends to the LC Ball stuffed with free Mickey Finns, go to all four nights, and we'll put you in a draw. Winner announced Friday morning, June 22nd!!!"*

### COMPLAINANT

Member of the public

### DECISION

Under Code paragraph 3.2 (d) and 3.2 (f): **Not upheld on this occasion.**

The Panel noted Code provision 3.2 (f) which states

*"3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;"*

The Panel also noted that the MEAS Guidance Notes on Point of Sale Promotions and Materials and Serving of Multiple Drinks state

*"...promotions identified and agreed to be those that should not be run as they are either unlawful, or entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour" include*

*"Drinking Games - these tend to encourage either rapid drinking or the drinking of large quantities of alcohol and therefore should not be run."*

The Panel noted that the promotion complained of was directed at the Leaving Certificate student market and that the age-range of this target group was in the 17 to 19 year old age bracket.

The Panel reviewed the text of the promotion and noted in particular the references to "Savage drinks promos", "drinking games Beer Bongs", "Taking celebrating to the extreme???", "Win a limo for you and ten friends to the LC Ball stuffed with free Mickey Finns" and concluded that the advertisement was an incitement to irresponsible or immoderate consumption of alcohol and was in breach of MEAS Code paragraph 3.2 (f).

The Panel noted the references in the promotion to a €250 cash giveaway as part of the promotional event; "Each Night were giving away €250 cash. All you have to do is nominate yourself! What can you do???? Whatever you think, what ever you want! Strip, dance, score. Do you have what it takes?? Were gonna bring the best nominees, put them on polls for the different nights, whoever gets the most votes, whoever is gonna be the most outrageous, most entertaining, performs on the night and gets the cash!"

The Panel concluded the promotion suggested an association with sexual success or prowess and found it in breach of MEAS Code paragraph 3.2 (d).

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The Panel reviewed the correspondence from the General Manager of Leopardstown Racecourse. In this correspondence the General Manager stated that “These types of events have been staged at Leopardstown for the past three to four years. They have been properly supervised and with more than adequate security in place. The Gardai have always been informed of these functions...On the basis of these previous functions there could be no expectation on my part, or anyone else in Leopardstown, that this type of promotion would appear on the Bebo website. As soon as I was made aware of the Bebo promotion, I arranged to have it removed...I, in no way, condone what appeared on the Bebo site and as a parent was appalled by it.”

The Panel noted that the licensee, Leopardstown Racecourse, has the ability to impose conditions on any third party that rents its premises or part thereof to, or permits to organise and promote an event on its premises.

The Panel wished to draw attention to the fact that the license holder is the party required to adhere to the Liquor Licensing Laws and retains that responsibility, irrespective of any arrangements involving third parties on or in relation to the premises for which the license is granted. While the MEAS Code is a voluntary code the Panel considered it reasonable that the same standard of responsibility should prevail as applies to the licensee under the Liquor Licensing Laws.

The Panel noted that the management of Leopardstown Racecourse had made reasonable efforts to ensure the promotion as advertised did not take place. The Panel also noted this was the first occasion that a complaint involving a third party promotion was made against the licensee. In light of this the Panel did not uphold the complaint against the licensee and noted that any repetition of the promotion complained of would result in a breach of the MEAS Code.



## Tramco - Alcohol Promotion

Tramco, Rathmines, Dublin 6

Final Decision: 30 August 2007

### COMPLAINT SUMMARY

The complainant has alleged that the drinks promotion advertised on the Bebo website on 31 May, 2007 (<http://Thursday-21st-june.bebo.com> <<http://thursday-21st-june.bebo.com/>>) to be undertaken at Tramco will encourage illegal, irresponsible or immoderate drinking. The promotion states:

*“FUCK NORMAL BBQ’s -  
TRAMCO  
=== BOOZE -B-Q ===  
THE CORONAS  
BEER BONGS  
JELLO SHOTS  
—FREE BBQ  
—AMAZING DJ  
—DRINK PROMOS.....”*

*Venue  
TRAMCO - DO WHAT YOU WANT,  
WHEN YOU WANT AND WHERE YOU  
WANT!!!!THIS INCLUDES THE NEW  
AND IMPROVED BEER GARDEN OUT  
BACK.....”*

*THERE’S A BBQ.....JELLO  
SHOTS.....BEER BONGS FLOATIN’  
ROUND THE CLUB..... THE DRINKS  
ARE ONLY 3 YOYOS AND....”*

### COMPLAINANT

Managing Director, Midnight Events Promotion Company

### DECISION

Under Code paragraph 3.2 (f): **Not upheld on this occasion**

The Panel noted Code provision 3.2 (f) which states

*“3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;”*

The Panel also noted that the MEAS Guidance Notes on Point of Sale Promotions and Materials and Serving of Multiple Drinks state

*“...promotions identified and agreed to be those that should not be run as they are either unlawful, or entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour”*include

*“Drinking Games - these tend to encourage either rapid drinking or the drinking of large quantities of alcohol and therefore should not be run.”*

The Panel noted that the promotion complained of was directed at the Leaving Certificate student market and that the age-range of this target group was in the 17 to 19 year old age bracket.

The Panel reviewed the text of the promotion and noted in particular the references to “Beer Bongs”, “Jello Shots”, and “Beer Bongs Floatin’ Round The Club”. The Panel concluded that the promotion as advertised was an incitement to irresponsible or immoderate consumption of alcohol and was in breach of MEAS Code paragraph 3.2 (f).

The Panel considered the points made by the representative of Tramco who stated “We have worked with [the promoters of the event] on many occasions before and they fully understand that all our normal rules apply to their event and these rules are strictly in accordance with the MEAS Code of Practice ... The first time we were aware that there was mention of Beer Bongs or



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*Jello Shots was when [the MEAS Code Secretariat] drew our attention to the notice in Bebo. We immediately contacted the promoters and they immediately withdrew the advertisement... We have used this incident as a lesson to [the promoters] to underline the already existing rule that they must always talk to us in advance before promoting anything."*

The Panel noted that the licensee, Tramco/Days Hotel, has the ability to impose conditions on any third party that rents its premises or part thereof to, or permits to organise and promote an event on its premises.

The Panel wished to draw attention to the fact that the license holder is the party required to adhere to the Liquor Licensing Laws and retains that responsibility, irrespective of any arrangements involving third parties on or in relation to the premises for which the license is granted. While the MEAS Code is a voluntary code, the Panel considered it reasonable that the same standard of responsibility should prevail as applies to the licensee under the Liquor Licensing Laws.

The Panel noted that the management of Tramco had made reasonable efforts to ensure the promotion as advertised did not take place. The Panel also noted this was the first occasion that a complaint involving a third party promotion was made against the licensee. In light of this the Panel did not uphold the complaint against the licensee and noted that any repetition of the promotion complained of would result in a breach of the MEAS Code.



## Tesco Ireland Limited - Alcohol Promotion

Final Decision: 19 November, 2007

Gresham House, Marine Road, Dun Laoghaire, Co. Dublin

### COMPLAINT SUMMARY

The Complainant has alleged that the

*“Two beer promotions which were held in Tesco outlets over the Saint Patrick’s Day and Easter weekends of this year” involving “In both cases an offer of twelve cans of beer....if the consumer purchased twelve cans”...”is in my opinion irresponsible as it encourages excessive consumption as the minimum purchase is twelve cans with another twelve free. Free alcohol is not, in my opinion, a suitable means of promotion and is clearly against a ‘drink responsibly’ approach to alcohol sales.”*

### COMPLAINANT

Member of the public

### DECISION

Under Code paragraph 3.2 (f): **Upheld.**

The Panel noted the following provisions of the MEAS Code :

Paragraph 3.2 (f) which states

*“3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;”*

Paragraph 2.6 which states

*“This Code is to be applied in the spirit as well as in the letter.”*

The Panel noted that Tesco Ireland Limited is a signatory to the MEAS Code of Practice.

The Panel reviewed the correspondence from the complainant and noted the complainant’s confirmation that he was a member of the public.

The Panel reviewed the correspondence from Tesco Ireland including the point of sale promotional material and documentation.

The Panel reviewed the Tesco Ireland advertisement in the 14 March, 2007 edition of the Irish Independent and considered the statement printed beside the cans of Guinness Draught and Budweiser, which was also printed in larger font in the centre of the advertisement “Buy 12 Cans Get 12 Cans FREE”. The Panel noted the phrase “Get in fast, limited availability” was printed in large font across the bottom of the advertisement. The Panel also noted the phrase in smaller font on the bottom left of the advertisement “Enjoy Alcohol Responsibly”.

The Panel noted that the advertisement was for a limited period and targeted the consumer in the specific period, 14 March, 2007 to 18 March, 2007, i.e. over the St. Patrick’s Festival period.

The Panel noted it was necessary to purchase twelve cans of the alcoholic product(s) advertised in order to get the twelve free cans.

The Panel noted that the advertisement did not include any limitation on the total number of purchases per customer.

The Panel reviewed the poster provided by Tesco Ireland which, Tesco Ireland advised, was displayed in-store. The Panel noted that the ‘Only 1 purchase per customer’ was printed in very small type in the bottom left corner of the poster.

The Panel considered that the limitation of one purchase per customer was not clearly communicated to the consumer in the point of sale material. The absence of any reference to this limitation in the newspaper advertisement was a serious omission and

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likely to impede, if not prevent, the effective implementation of the limitation on the ground.

The Panel did not comment on the pricing aspect of the promotion as there is no legal impediment to cost or below cost pricing of alcoholic beverages following the repeal of the Groceries Order.

The Panel then considered the structure of the promotion which required the consumer to purchase twelve cans in order to get twelve free cans, and, in order to avail of the promotion which targeted the St. Patrick's Festival period, it was necessary to "Get in fast, limited availability". The Panel concluded that when all aspects of the promotion were considered, a message encouraging immoderate consumption was being communicated. The Panel therefore found the promotion in breach of Code paragraph 3.2(f).



## Davitts Bar, Dungarvin - Alcohol Promotion

Final Decision: 19 November, 2007

Davitts Bar, Restaurant and Nite Club, Dungarvin, Co. Waterford

### COMPLAINT SUMMARY

The Complainant has alleged that the drinks promotions advertised by Davitts Bar, Restaurant and Nite Club in the 14 September, 2007 edition of the Dungarvin Leader will encourage illegal and/or irresponsible drinking.

### COMPLAINANT

Member of the public

### DECISION

Under Code paragraph 3.2(d) and 3.2(f): **Upheld.**

The Panel noted MEAS Code provision 3.2 (d) which states

*“3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(d) suggest any association with sexual success or prowess;”*

The Panel also noted MEAS Code provision 3.2 (f) which states

*“3.2 A drink, its packaging and any promotional material or activity (as defined in section 2 Annex 1) must not in any direct or indirect way:*

*(f) encourage illegal, irresponsible or immoderate consumption, such as binge-drinking, drunkenness or drink-driving;”*

The Panel also noted that the MEAS Guidance Notes on Point of Sale Promotions and Materials and Serving of Multiple Drinks state that

*“...promotions identified and agreed to be those that should not be run as they are either unlawful, or entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour”*include

*“Promotions that involve buying an alcoholic product to get another one free or promotions offering two alcoholic products for the price of one”,* and

*“Promotions that involve free drinks or reduced price drinks for a limited period of a day”.*

The Panel reviewed the advertisement in the 14 September, 2007 edition of the Dungarvin Leader and noted, in particular, the following phrases:

*“Friday Night is Miller Nite....Free Miller for 1st 100 customers”*

*“Sunday Night is - CLASSICS NIGHT in association with Mickey Finns Complimentary Shot of Mickey Finn for 1st 100 customers”*

*“All Frozen Slushiees - 2 for price of 1”*

*“Shot of the Week - HORNY BANANA-Buy 1 have the next one on Sean”*

The Panel considered the terms of the promotions and concluded that they clearly fell within the category of promotions identified in the MEAS Guidance Notes and agreed to be those that should not be run as they ... “entail a disproportionate risk that they will lead directly to alcohol misuse and anti-social behaviour”, and breached Code paragraph 3.2 (f).

The Panel considered that the phrase “Shot of the Week -HORNY BANANA” suggested an association with sexual success or prowess and breached Code paragraph 3.2(d).

The Panel noted the statement from the owner of Davitts Bar that the advertising was withdrawn following contact from the Code Secretariat. The Panel also acknowledged the statement made by the owner that the Code breaches were unintentional and will not recur.

## MEMBERS OF THE INDEPENDENT COMPLAINTS PANEL

### **Dr. Gordon Holmes (Chairman)**

Gordon Holmes received his initial education from Crescent College, Limerick and Clongowes Wood College, Kildare. In 1957 Gordon graduated from UCD with honours, qualifying as a solicitor from Blackhall Place the following year.

After some years in private practice in Limerick, in 1969 Gordon was the first appointed State Solicitor for Limerick City and held that post for 11 years. In 1970, Gordon founded the firm of Holmes O'Malley Sexton, Limerick, where he was Managing Partner until 2000. Since 2000, Gordon has been Chairman of the practice.

Gordon was appointed solicitor to the Attorney General for eight years and has held many other Government posts. He is also Chairman of the Garda Síochána Complaints Board, of the Parole Board and of the Betting Appeals Board. Gordon served for 24 years on the Rules Committee of the Superior Courts of Ireland being a Law Society delegate thereto. He was also Chairman of the Commission appointed by the Government to advise on liquor licensing presiding over four reports from that body until its Final Report in 2004.

The University of Limerick awarded Gordon an honorary doctorate in 2005.

Dr. Holmes is a Director of University of Limerick Foundation, the J.P. McManus Charitable Foundation and many others. He is also Director of a number of commercial companies including Director of the Irish companies run by the eminent Paris based Reinsurer SCOR.

### **Ms Ann Woods**

Ann Woods is a Biochemistry graduate of Trinity College, Dublin. Subsequently qualifying as a solicitor, Ann went on to practise law for a number of years as a partner in a Dublin firm of solicitors.

For over 15 years Ann has been on the Council of the Consumers' Association of Ireland and is currently Honorary Secretary. Ann has also been the Vice-President of the Dublin University Women Graduates Association.

Ann currently sits on the board of CROlink (Companies Registration Office Users' Forum) as well as on the Consumer Foods Board, a subsidiary board of An Bord Bia.

### **Dr. Mark Morgan**

Mark Morgan is Head of the Education Department, a lecturer in psychology and a researcher at St. Patrick's College of Education, Drumcondra, Dublin.

Focussing his research on substance misuse prevention and evaluation of schools programmes for prevention, Mark is regarded as one of the most authoritative and knowledgeable individuals on underage drinking in Ireland.

Dr Morgan is a member of the Research Institute for a Tobacco Free Society as well as being an editor and founding member of The European School Survey Project on Alcohol and Other Drugs (ESPAD). He is author of over 70 academic publications including reports for the Department of Education and Science, the Economic and Social Research Institute and the Higher Education Authority.

## **Mr. Michael Murphy**

Michael J. Murphy, whose professional discipline is marketing and sales, has held a number of board level positions in both national and international companies.

In September 2002 Michael retired as Home Trade Director with Irish Distillers Ltd. with whom he had been employed since 1984. Previously Michael was Deputy Chief Executive (Commercial Activities) with Mitchelstown Co. Op (1979 – 1984) and Assistant Managing Director with Williams Group Tullamore Ltd. (1969 – 79) which he joined from Unilever Ltd.

Michael was Chairman of the Drinks Industry Group of Ireland for seven years until December 2003 during which time he represented the Irish Drinks Industry both on a domestic and European level. Michael was also a member of the Commission on Liquor Licensing 2001 – 2003.

Michael is currently a member of the Employment Appeals Tribunal and is a partner in The Centre for Mediation. He also acts as a business mentor with a number of Regional Enterprise Boards.

## **Francis Linden**

Francis Linden became involved with his local school's parents' association in 1995. He subsequently served on the County branch of the National Parents Council Primary and became involved with the Council at a national level in 2001. Having served as Vice Chair for three years Francis was elected to the position of Chair. He was re-elected for a second term as Chair in 2007.

Francis is married with two children. He manages his own business and is active in his local area with the Scouts group and the GAA club.

## MEAS CODE ADVISORY SERVICE

As part of its responsibility in operating the Code of Practice, MEAS offers a free, fast and confidential Advisory Service. This enables any concerns about possible breaches of the Code to be discussed and dealt with at an early stage.

The service offers drink producers, distributors, marketers, retailers and importers an opportunity to seek advice, in advance, about the packaging, including naming and labelling, of any alcoholic drink that they are planning to launch or re-launch or any promotional material or activity or merchandising arrangements that they are intending to undertake that is covered by the Code.

Advice will normally be given within five working days of a request being received and will be confirmed in writing. All requests received and advice provided will be treated confidentially and will not be disclosed to any third party.

Companies wishing to seek advice under the Code should contact the Advisory Service Executive on 01 6114811 or by email to [info@meas.ie](mailto:info@meas.ie)

## HOW TO MAKE A COMPLAINT UNDER THE CODE

An outline of what the MEAS Code covers and details of the complaints procedure are given in our 'A Guide to Making Complaints under the MEAS Code of Practice' leaflet available free of charge from MEAS, which can also be accessed on the MEAS website.

The MEAS Code of Practice seeks to ensure that drinks producers, distributors and licensees market and sell their products responsibly. A product might contravene the Code if its name, packaging, or marketing:

- Does not make it clear that it's an alcoholic drink
- Appeals particularly to under 18s
- Emphasises the alcoholic strength unduly
- Links the product with illicit drugs
- Associates the product with sexual success
- Suggests bravado, violence, aggressive, dangerous or anti-social behaviour
- Makes you think that drinking it will help you become popular or successful
- Encourages illegal or irresponsible drinking such as binge drinking or drink-driving
- Uses images of people under 25, or who look as if they are under 25
- Suggests it can improve your mental, sporting or physical performance
- Uses words that can cause confusion with popular drinks which are non-alcoholic

The Code applies to a drink's naming and packaging (including its brand name), to point-of-sale advertising, promotions, sponsorship materials and branded merchandise. It also applies to multiple servings of alcoholic products in a single container and requires that alcoholic drinks be clearly distinguished when on display.

If you want to make a complaint under the Code, it is simple, effective and confidential.

Just send us a letter, either enclosing or describing the product or the promotional or sales activity in question and we'll take it from there. Or you can log on to [www.meas.ie](http://www.meas.ie) and complete the simple on-line complaints form.

To contact the Complaints Officer for advice on making a complaint or to request a copy of 'A Guide to Making Complaints', call 01 6114811, e-mail: [info@meas.ie](mailto:info@meas.ie) or write to MEAS, Merrion House, 1-3 Fitzwilliam Street Lower, Dublin 2.



## CODE SIGNATORIES

Beamish & Crawford plc  
Beverage Council of Ireland  
BWG Foods  
C & C Group plc  
Cider Industry Council  
Diageo Ireland  
Drinks Industry Group of Ireland  
Edward Dillon & Co Ltd  
Heineken Ireland  
InBev Ireland  
Irish Distillers Ltd  
Irish Hotels Federation  
Irish Spirits Association  
Licensed Vintners Association  
National Off-Licence Association  
Restaurant Association of Ireland  
RGDATA  
Superquinn  
The Musgrave Group  
Tesco Ireland Limited  
Vintners' Federation of Ireland  
Wine and Spirit Association







**Mature Enjoyment of Alcohol in Society Limited**

Merrion House, 1-3 Fitzwilliam Street Lower, Dublin 2.  
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