



# IPH response to the Public Consultation in respect of regulation to be made under sections 12(1) and 13(2) of the Public Health (Alcohol) Act 2018

**Consulting Body:** Food Safety Authority of Ireland

**Submitting Body:** The Institute of Public Health in Ireland

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# Introduction to the Institute of Public Health in Ireland

The remit of the Institute of Public Health in Ireland (IPH) is to work towards healthier societies on the island of Ireland by reducing health inequalities and enabling people to reach their potential to live healthier lives; we do this through work in the area of research, policy analysis, evidence review and advice; and by promoting co-operation for public health between Northern Ireland and the Republic of Ireland.

IPH plays a significant role in the development of alcohol policy across the Island of Ireland. In 2012, at the request of the Chief Medical Officers in Northern Ireland and the Republic of Ireland, the North South Alcohol Policy Advisory Group (NSAPAG) was established, and is chaired by IPH. The aim of the Group is to contribute to reducing alcohol related harm on the island of Ireland. In 2014 the NSAPAG published a briefing paper 'Reducing alcohol related harm by addressing availability-maximising benefits from North South cooperation'.

# Key Points

## **IPH position and approach**

- IPH welcomes the opportunity to submit evidence on the introduction of health warning labels on alcohol containers and advertisements in Ireland.
- IPH considers that evidence supports the introduction of legislation for use of warning labels as set out in regulations to be made under sections 12(1) and 13(2) of the *Public Health (Alcohol) Act 2018*.
- Our response presents evidence from validated government data sources and international peer reviewed literature. It excludes studies where there is any evidence of alcohol industry involvement or funding. Our approach is aligned with the World Health Organization (WHO) *Global Strategy to Reduce the Harmful use of Alcohol* (2010).

## **Alignment and proportionality**

- This measure is aligned with national policy, evidence-based and proportionate. The measure has significant potential to contribute to government commitments set out in the following three policies:
  - *Healthy Ireland: A Framework for Improved Health and Wellbeing (2013 – 2025)*.
  - *Reducing Harm, Supporting Recovery: A Health Led Response to Drug and Alcohol Use in Ireland (2017-2025)*.
  - *A Healthy Weight for Ireland – Obesity Policy and Action Plan (2016-2025)*.
- We welcome the consultation as a signal of progress and ongoing commitment to implementation of measures set out in the *Public Health (Alcohol) Act 2018*, which was passed with broad cross-party support and endorsed by government.
- The World Health Organization *European Action Plan to Reduce the Harmful Use of Alcohol (2012-2020)* formally recognises the role of health warning labels on both alcohol containers and advertising as a valid policy measure.
- Alcohol marketing in Ireland is pervasive. High grade evidence demonstrates that exposure to alcohol advertising and promotion predicts both the onset of drinking among non-drinkers. Evidence also indicates that exposure can lead to increased levels of consumption among those already existing drinkers. There is currently no requirement for alcohol advertising to inform consumers of potential risks from consumption of the product.

## **Burden of alcohol-related harm potentially impacted by this measure**

- Ireland's pattern of alcohol consumption and harms is a significant contributor to societal harms, and exceeds most other countries. Alcohol related harms and illnesses cost the Irish state in excess of €1.5 billion annually. Alcohol is implicated in at least three deaths a day and 4,000 self-harm presentations each year.
- Review level evidence has concluded significant harms associated with the current level of alcohol consumption among women. Ireland is among the top 5 countries in the world in terms of incidence of fetal alcohol spectrum disorder (FASD).
- According to the *Healthy Ireland Survey 2015*, 6 out of 10 Irish adults are overweight or obese. Alcohol consumption contributes to the development of overweight and obesity. Alcohol been found to account for approximately 10% of adult drinkers' total energy consumption on average in the UK.
- Alcohol consumption is associated with increased risk of several cancers including mouth, liver, breast, and bowel cancers. In Ireland, alcohol is associated with 900 cancer diagnoses and 500 cancer deaths every year.

## **What we know about current levels of awareness**

- Consumers do not generally recognise that alcohol consumption can increase the risk of alcohol-related harms to themselves, the people around them and society at large. Most drinkers are unaware of the risks associated with excess alcohol consumption.
- The *Healthy Ireland Survey 2016* found that 40% of adults were aware that bowel cancer is associated with drinking more than the recommended number of standard weeks per week. Only 21% of adults were aware of the association between alcohol consumption and breast cancer.
- Most drinkers are unaware of the calorific content of alcohol and the contribution that alcohol consumption may be making to their risk of overweight and obesity.

## **Evidence supports the effectiveness of the measure**

### **General measures/ harms**

- The World Health Organization *Global Strategy to Reduce the Harmful Use of Alcohol (2010)* considers the low cost of introducing alcohol warning or information labels. It reminds consumers and society at large that alcohol is no ordinary commodity and that consumption can impair health and wellbeing.

- Systems of voluntary labelling and industry self- regulation have proven ineffective in other countries. Statutory regulations are required to deliver meaningful impact.
- Review level evidence concludes that health warning labels are an effective way to increase awareness and inform consumers regarding alcohol harm especially for those at risk across priority populations indicated in the *Public Health (Alcohol) Act 2018*.
- Warning labels have the potential to partially counteract the attractive product designs on alcohol products, and can help reduce higher risk drinking.

### **Pregnant women**

- Warning labels are sought out as a reliable source of information among young women of child bearing age. Warning labels have been effective in increasing awareness of the risks associated with consuming alcohol during pregnancy in other EU countries.

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## I. Health warning labels on alcohol containers

**The effectiveness of including the relevant health warnings and information (i.e. the matters referred to in sections 12(1)(i) to 12(1)(vi)) on the labels of alcohol products, on notices in licensed premises, in documents required for alcohol sold in reusable containers and on websites that sell alcohol products**

*Subject to subsection (2), it shall be an offence for a person to sell, to a person who is in the State, an alcohol product the container of which does not bear in the prescribed form—*

## (i) A warning that is intended to inform the public of the danger of alcohol consumption

- At present there is no requirement for labelling to provide information to consumers on the risks of alcohol consumption.
- The effects of health warnings on alcohol labels are twofold.
  - First, evidence confirms health warning labels are an effective way to increase awareness and inform consumers regarding alcohol harm especially for at risk across priority populations indicated in the *Public Health (Alcohol) Act 2018* (Al-hamdani and Smith, 2015; Annunziata et al., 2015; Glock et al., 2013; Hassan and Shiu (2018); Pham et al., 2017; Thomson et al., 2011).
  - Second, evidence confirms that warning labels counteract the attractive product designs on alcohol products, to help reduce the intention of dangerous drinking behaviour (Martin-Moreno et al., 2013; Wilkinson and Room 2009).
- The alcohol industry has the potential to develop health warning label content, as is the case of the United Kingdom. These messages are not always aligned with broader public health interests and lack consistency, clarity and information deemed desirable for consumers to make informed decisions about their health (Critchlow et al., 2019; Tinawi et al., 2018).
- Evidence suggests that warning labels that are created by the alcohol industry may have limited effectiveness among at risk groups such as adolescents (Critchlow et al., 2019) and the general public (Coomber et al., 2015).



## **(ii) A warning that is intended to inform the public of the danger of alcohol consumption when pregnant**

- Review level evidence of alcohol use in pregnancy indicates that consumption in Ireland is among the highest in the world with an estimated rate of 60.4% in 2012 (Lange et al., 2017).
- Heavy drinking during a pregnancy can result in a range of damages to an unborn child. These include fetal alcohol spectrum disorder (FASD) which is an umbrella term for a range of disabilities that can affect infants and children of mothers who consume alcohol in pregnancy. The effects of FASD are lifelong for the child.
- Review level evidence of global prevalence rates of alcohol use and FASD found that consumption in Ireland is among the highest in the world with an estimated rate of 47.7 per 1000 (Popova et al., 2017).
- Evidence from the United States, where warning labels explaining the risks of alcohol consumption in pregnancy have been required since 1989, suggests high public support for warning labels (Greenfield et al., 2007).
- In New Zealand the introduction of warning labels was effective in increasing awareness of the risks associated with consuming alcohol during pregnancy (Parackal et al., 2010).
- A study of French alcohol warning labels for drinking in pregnancy, where warnings have been legislated since 2007, found that there was a high rate of awareness of the warnings (Dumas et al., 2018). Recommendations from this same study found that warnings should signpost to reliable sources of information on alcohol use while breastfeeding, as this is a point of concern for women.

## ***(iii). A warning that is intended to inform the public of the direct link between alcohol and fatal cancers***

- Alcohol consumption is associated with increased risk of several cancers including mouth, liver, breast, and bowel cancers (Connor, 2017).
- In Ireland, alcohol is associated with 900 cancer diagnoses and 500 cancer deaths every year (Laffoy, 2016).

- Public awareness of the association between alcohol consumption and cancer diagnosis remains quite low, despite its classification as a group 1 carcinogen by the International Agency for Research on Cancer (Pettigrew et al., 2014; Scheideler and Klein, 2018). Evidence suggests that warning labels are an effective method for increasing awareness of harms (Miller et al., 2016)
- Irish adults are aware of the association between alcohol and illnesses such as liver disease (90%) and high blood pressure (51%) (Healthy Ireland Survey, 2016).
- A recent survey found that only 42% of adults in Ireland recognised alcohol as a risk factor for cancer. Respondents also held misinformed perceptions regarding the level of risk posed by different alcoholic drinks (Ryan et al. 2015). 63% of adults believed that some alcoholic drinks were more dangerous than others. While only 37% were aware that all types of alcohol have the same effect, regardless of type. Further, 39% respondents believed that red wine possessed a protective health benefit. (Ryan et al., 2015).
- A 2016 Australian study of cancer warning labels produced favourable outcomes with regards to impacting attitudes and drinking intentions (Pettigrew et al., 2016).

***(iv). The quantity in grams of alcohol contained in the container concerned***

- The quantity in grams of alcohol per container is proposed which will supplement the percentage of Alcohol by Volume (%ABV) present on containers to date.
- The use of grams will assist consumers to consider their intake in the context of current drinking guidelines. The current low risk drinking guidelines are 17 standard drinks (=170 grams of pure alcohol) for men and 11 standard drinks (=110 grams of pure alcohol) for women spread over the course of one week. The guidelines also suggest two to three alcohol free days per week.

***(v). The energy value expressed in kilojoules and kilocalories contained in the container concerned***

- When alcohol is consumed, the body prioritises the breakdown of the calories in the alcohol over other fats and proteins and carbohydrates that are found in foods.
- Alcohol contains ethanol; a micro ingredient with the high energy density. This has been found to account for around 10% of adult drinkers total energy intake in the United Kingdom (Shelton and Knott, 2014).
- A national study of US drinkers found that the average total energy per alcoholic drink was 140 kilocalories. Heavy drinkers in this study were found to consume 749 kilocalories (37.5%

of a daily energy intake of 2000 kilocalories) (Tujague and Kerr, 2009).

- A study of middle aged men in the UK found that greater alcohol consumption contributed directly to weight gain and obesity in men (Wannamethee and Sharper, 2003). This study found that the inclusion of nutritional content of alcohol products helps to facilitate awareness and health decisions.
- According to the *Healthy Ireland Survey 2015*, 6 out of 10 Irish adults are overweight or obese. This translates to 37% of the population being overweight and 23% obese. Men are more likely than women to be overweight but are less likely to be attempting to lose weight than their female counterparts.
- Some evidence indicates a positive correlation between kilocalories derived from alcohol and prevalence of obesity (Schroder et al., 2007). Alcohol represents a significant amount of empty calories. Alcohol intake contributes to the development of obesity through a variety of mechanisms including an increase in total kilocalories consumed and increased binge eating (Yeomans, 2010).
- In European and Australian surveys, most consumers agree that the same nutritional and ingredient information should be provided for all food and drink products, regardless of whether they contain alcohol or not (Kypri et al., 2007).
- A European Commission study on the impact of food information on consumers' decision-making found that nearly half (49%) of the participants wanted information on the energy value of alcoholic drinks (Hammelsbach et al., 2014).
- A European study of health warnings on wine labels, found that respondents were interested in receiving more information on nutritional features of wine through the label. Concurrently the study also found that consumers would like to understand impacts of excessive wine consumption via the labels on wine products (Annunziata et al., 2015).

***(vi). Details of a website, to be established and maintained by the Executive, providing public health information in relation to alcohol consumption.***

- Margaret Chan the previous Director General of the World Health Organization in a letter to the British Medical Journal in 2013, wrote "In the view of WHO, the alcohol industry has no role in the formulation of alcohol policies, which must be protected from distortion by commercial or vested interests" (Chan, 2013).
- Consumers in Ireland are entitled to provision of information on the properties of alcohol and the risks associated with consumption that is free from commercial influence. Drinkaware, the alcohol industry funded organisation, is currently featured as the 'go to' source of information on alcohol containers and advertisements. This is not appropriate and

a disservice to consumers seeking non-biased, evidence based and reliable sources of information.

## II. Health warning labels on alcohol advertising

### **The effectiveness of including the relevant health warnings and information (i.e. the matters referred to in sections 13(2)(a) to 13(2) (d) in advertisements for alcohol products.**

A person shall not advertise, or cause to be advertised, an alcohol product unless the advertisement includes, in the prescribed form—

- (a) A warning that is intended to inform the public of the danger of alcohol consumption,
- (b) A warning that is intended to inform the public of the danger of alcohol consumption when pregnant
- (c) A warning that is intended to inform the public of the direct link between alcohol and fatal cancers, and
- (d) Details of a website, to be established and maintained by the Executive, providing public health information in relation to alcohol consumption.

#### ***(a) A warning that is intended to inform the public of the danger of alcohol consumption,***

- Alcohol products are some of the most highly advertised in the world.
- The size and scale of the industry's advertising has an increasing sprawl, including the place of sale, print and television media, social media, cinemas, billboards and sponsorship of sporting events with global reach.
- The strongest evidence on the impact of alcohol advertising comes from systematic reviews of longitudinal studies (Anderson et al., 2009; Smith and Foxcroft, 2009). These reviews find that exposure to alcohol advertising and promotions predict the onset of drinking among non-drinkers. The studies also find that exposure is associated with increased levels of consumption among existing drinkers.
- Additionally, there is increasing evidence that the impact of alcohol marketing is cumulative (Gordon, Mackintosh and Moodie, 2010). Studies show that alcohol containers have the potential to activate the dopamine system in the brain on sight of an alcohol product (Robinson et al., 1993).
- Consumers have the right to understand the full health impacts of the products they are consuming. Currently, the alcohol industry has the freedom to deliver powerful and well-resourced advertisements without a public health message.

- Consistent, clear messages about Potential harms from consumption of alcoholic products should be included on advertisements in an effort to raise awareness.
- Evidence supports the policy position of adopting consistent health warning labels on both alcohol containers and on advertising. A meta- analysis found that warning labels were more effective in attracting consumer’s attention when included in posters, signs and /or other advertising mediums rather simply on the product alone (Argo and Main, 2014).
- The effects of alcohol advertising are especially impactful for vulnerable groups such as young people. An Irish study found that increased exposure advertising among 13-17 year olds lead to increased risk of binge drinking and drunkenness as compared to their peers who were not exposed to alcohol marketing (Morgan and Long, 2016).The table below summarises the findings in this study as experienced by gender and age cohorts.

**Table 12 Percentage of students reporting exposure to various types of alcohol marketing**

	Online exposure	Non-online exposure	Alcohol-branded merchandise ownership	Last sports event attended was sponsored by an alcohol brand	Last music event attended was sponsored by an alcohol brand
<b>All students</b>	77.2	90.9	61.2	18.3	16.1
<b>Boys</b>	74.0	90.5	71.4	22.8	15.4
<b>Girls</b>	80.8	91.3	50.0	13.2	16.9
<b>13-15-year-olds</b>	74.9	90.7	63.9	18.6	14.6
<b>16-17-year-olds</b>	79.6	91.0	58.5	18.0	17.6

Source:  
Morgan and Long (2016)

- An American Medical Association Study also concluded that increased exposure to alcohol advertisements contributes to increased drinking behaviours among young people (Snyder et al., 2006).

## Appendix 1- Summary of Evidence for Information to be included on Alcohol Products (Adapted from Martin- Moreno et al., 2013)

Health Label Information Type	Pros	Cons	Recommendations
List of ingredients	<ul style="list-style-type: none"> <li>• Protects consumer right to information</li> <li>• Consumers with allergies can better choose products</li> </ul>	<ul style="list-style-type: none"> <li>• Producers must assume costs</li> </ul>	Should be included on drinks labelling without delay
Nutritional information	<ul style="list-style-type: none"> <li>• Facilitates health decisions through accurate caloric and nutritional content</li> <li>• Could influence drinking behaviour of populations concerned with overweight</li> </ul>	<ul style="list-style-type: none"> <li>• Consumers who had overestimated caloric, fat or carbohydrate content could increase consumption</li> <li>• Producers could propound health claims such as 'fat free' or 'no/low carbs'</li> </ul>	Kilocalories should be included on all labels. Fat, carbohydrate and protein content should not be included unless present. More research should be carried out to determine how nutritional information is interpreted among different groups

<p>Standard drink size and servings per container</p>	<ul style="list-style-type: none"> <li>• Consumers can accurately track alcohol intake</li>   <li>• Allows better interpretation of drinking guidelines</li> </ul>	<ul style="list-style-type: none"> <li>• Need for some harmonization among countries</li>   <li>• Container and pour size often do not correspond to standard drink size</li>   <li>• Consumers may decide to buy drinks based on strongest alcohol content for the money</li>   <li>• Lack of awareness among consumers about the significance of a standard drink</li> </ul>	<p>Inclusion of standard drink size and servings per container should be coupled with measures to counteract negative consequences, such as health education and regulations to tie pricing with standard drink sizes.</p> <p>The quantity in grams of alcohol per container is proposed which will supplement the percentage of Alcohol by Volume (ABV) presented on containers to date.</p>
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