

Guidance Note Quick Read

- Particular appeal to under-18s

Application of the Code

By 'particular' appeal the test to apply is not one of quantity, i.e., appealing to more under-18s than over-18s, but the way in which it appeals, i.e., the packaging/promotion appeals to/resonates with under-18s in a way that it does not with over-18s. Ultimately, it is possible to state that a marketing element could always appeal to someone in a target market, however, the rule is designed to capture features that are likely to have a particular appeal to under-18s. It is impossible to provide an exhaustive list of elements which could appeal to under-18s, but the below elements are listed to highlight areas where caution should be exercised.

1. Colour and Luminance	<p>The inclusion of bright colours will not constitute a breach of the Code when considered in isolation. However, young children, who pay little attention to verbal messages, are most attracted to bright primary colours (red, yellow, and blue) as they are particularly stimulating to their developing brains, easier to perceive, evoke feelings of happiness and can attract attention. The younger age group also have an affinity for secondary colours such as green, purple, pink, and orange but are less attracted to muted colours and pastels. Similarly, muted colours which have higher levels of contrast can attract the attention of children.</p>
2. Typography and Font	<p>The keyline (or outline) on font or characters is important for children to distinguish objects as they develop visual perception skills. In these instances, the thicker the keyline, the easier for a child to notice the font or character. Common themes in children marketing include:</p> <ul style="list-style-type: none">• Simplicity• Play and fun e.g. onomatopoeic• Bright primary text• Chunky/cartoon-like font• High contrast or thick outline.
3. Characters	<p>Characters are a known way of providing an approachable and relatable element to a brand identity. Whilst not all characters are designed to appeal to children, producers must be mindful that some characters, such as anthropomorphic animals, or characters with large eyes, smiling faces and welcoming stances are all likely to have an appeal to under-18s. Even in an instance where the character itself does not have a particular appeal, a baseline is created where the packaging or marketing is already creating a certain level of appeal, even inadvertently, which can be exacerbated by other elements such as bright colours, flavours, sparkles etc. which could make it more likely to breach the Code.</p>

<p>4. Typography and Font Celebrities and Personalities Admired by Under-18s</p>	<p>Personalities that are particularly admired by under-18s, or partnerships with real people that are known to under-18s, such as celebrities, sports people and influencers should also carefully be considered. Marketing should only take place in media or with partners where at least 75% of the audience (spectators, participants, or fan base) is over 18. This is particularly important when considering potential sponsorships or co-promotions. For further information please see our Sponsorship Guidance.</p>
<p>5. Nostalgia</p>	<p>Over the years, the use of nostalgia as a theme in alcohol marketing has become more popular, whether it be using well-known franchise links or artwork that evokes a memory and feel of a particular time. Marketing that is based on nostalgia is used to appeal to an adult age group and ultimately remind the target demographic of a well-loved theme, story, character, series, game etc. from when they were teenagers or children. However, care should be taken if including childhood nostalgia in alcohol marketing as inclusion of elements which were popular with children many years ago may still hold an appeal to children today.</p>
<p>6. Interactive, Customisable or Novel Product Design</p>	<p>Producers should be careful when using a novelty shape container or interactive packaging. Elements such as shaking or spinning the bottle to elicit an effect such as sparkling liquid, flashing lights or music all have the potential to appeal to children because of the similarities with children's toys or entertainment items. As always, this will be considered alongside the product's overall theme and the Advisory Service would recommend avoiding any links to children's toys or toy shops.</p>
<p>7. Events and Experiential Marketing</p>	<p>Events can take many different forms in terms of the physical activities incorporated and link to themes not typically associated with alcohol. Producers and marketing agencies should be mindful that activities which are typically associated with children such as ball pits, soft play, 'swingball' and slip and slides could all breach the Code for their inherent appeal to under-18s, even if the event is only aimed at adults.</p>

This does not mean that inclusion of any of the above elements is inherently problematic under the Code, but rather that these are areas where caution should be exercised. Both the Advisory Service and the Independent Complaints Panel will always assess the overall impression of the packaging and/or marketing. This can mean that elements which may be acceptable in isolation, may change when combined with other elements and create an overall impression which is non-compliant.



All producers and marketing agencies have access to our free, confidential Advisory Service. If you have any further questions about this guidance or about packaging and/or a promotion please contact us at advice@portmangroup.org.uk