SPIRITS CANADA

CODE OF RESPONSIBLE ADVERTISING AND MARKETING

Updated September 2025

Preamble

Spirits Canada/The Association of Canadian Distillers is the national trade association representing the producers and marketers of distilled spirits manufactured and sold in Canada. This *"Code of Responsible Advertising and Marketing"* (the Code) provides guidance to Spirits Canada members in regards to their promotional activities and programs in Canada.

The consumption of beverage alcohol has played an accepted and important role in the cultural and social traditions of both ancient and modern societies. Spirits Canada members take special pride in their products and in their shared commitment to promoting responsible consumption by those adults of legal purchase age who choose to drink. Nevertheless, it is the obligation of each consumer who chooses to drink to do so in a responsible manner.

Spirits Canada and its members are committed to promoting the responsible distribution, sale, marketing and consumption of beverage alcohol. Spirits Canada supports and partners with various government departments and ministries, public health organizations, law enforcement agencies, research and academic groups and other stakeholders across the country whose goal is to minimize the risks associated with the misuse or abuse of beverage alcohol.

The Code does not replace federal or provincial statues or regulations, but rather is a statement of principles Spirits Canada members voluntarily commit to upholding. Indeed, these voluntary commitments to responsible advertising standards may establish a higher standard than those mandated under Canadian and provincial law and regulations.

Association of Canadian Distillers

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Scope

The Code applies to all activities undertaken to advertise and market distilled spirits. Spirits Canada Members are encouraged to ensure all the beverage alcohol products they represent in Canada including malt- based, cider or wine also comply with the Code. These activities include brand advertising, consumer communications, promotional events, packaging, labels, and sales materials.

The provisions of the Code apply to every type of print and electronic media, including the internet, and any on-line or digital communication, used to advertise or market beverage alcohol. These provisions also apply to every type of promotional or marketing activity or event, including all product placements (e.g. movies, television programs, music videos, video games) and sponsorships.

Spirits Canada members recognize that it is not possible to cover every eventuality in a code and, therefore, agree to observe the spirit as well as the letter of this Code. Questions about the interpretation of the Code, member companies' compliance with the Code, and the enforcement of its provisions are directed to Advertising Standards Canada (Ad Standards).

I. Social Responsibility

1. Beverage alcohol advertising materials will portray beverage alcohol consumption in a responsible manner. When portraying consumption of beverage alcohol, these materials will show such products being consumed moderately and responsibly.

2. Beverage alcohol advertising and marketing materials shall not depict situations where beverage alcohol is being consumed excessively or in an irresponsible manner. These materials shall not portray persons in a state of intoxication or in any way suggest that intoxication is socially acceptable conduct, and they shall not promote the intoxicating effects of beverage alcohol consumption.

3. Beverage alcohol advertising and marketing materials shall not promote the co-consumption of alcohol and marijuana or of illicit substances.

4. Beverage alcohol advertising materials shall not promote the co- consumption of alcohol and energy drinks. Members' shall not condone the joint promotion by a third party of a member's alcoholic beverage brand with an energy drink.

5. On-premise promotions sponsored by members will be conducted in ways which encourage responsible consumption by those adults who choose to drink and which do not reward excessive or abusive consumption.

6. Where supplier product sampling is permitted, members shall ensure personnel providing consumer samples are alcohol server training certified.

7. Members shall not promote or encourage any drinking in conjunction with reckless and/or irresponsible behavior at an on-premise promotion sponsored by a member.

II. Adult Audience

1. Beverage alcohol advertising and marketing materials are intended solely for adults of legal purchase age who choose to drink.
2. Beverage alcohol shall not be advertised in any manner directed or primarily intended to appeal to persons below the legal purchase age.
3. Beverage alcohol advertising materials will not contain the name of or depict Santa Claus, cartoon figures or any characters, mythical or real, whose primary appeal is to persons under the legal purchase age.
4. Beverage alcohol will not be advertised on the comic pages of newspapers, magazines or other publications.
5. Beverage alcohol products shall not be advertised or promoted by any person who is below the legal purchase age or who is made to appear to be below the legal purchase age. To help ensure that individuals in beverage alcohol advertising are and appear to be above the legal purchase age, models and actors employed should be a minimum of 25 years old, substantiated by proper identification and should reasonably appear to be above the legal purchase age.
6. No brand identification, including logos, trademarks or names, should be used or licensed for use on clothing, toys or games, or game equipment, or other items intended for use primarily by persons below the legal purchase age.
7. Spirits Canada members should limit the manufacture of brand logoed apparel, and the licensing of member company trademarks used in connection with the sale of logoed apparel, to only adult sizes.
8. Beverage alcohol advertising and marketing should be placed in broadcast, cable, radio, print, and internet/digital communications only where at least 70% of the audience is reasonably expected to be of legal purchase age (determined by using reliable, up-to-date audience composition data).
9. Appropriate measures and best efforts shall be taken so that beverage alcohol advertising and marketing are not specifically aimed at events unless at least 70% of the audience is reasonably expected to be of legal purchase age.

III. College and University Campuses

1. Beverage alcohol will be advertised on college and university campuses and in college and university newspapers only in accordance with accepted practices established by these institutions.
2. Promotional activities for beverage alcohol will not be conducted on college and university campuses except in licensed establishments located on such campuses.

IV. Drinking and Driving

Driving while intoxicated is against the law. Beverage alcohol advertising materials will not portray, encourage or condone driving any motor vehicle while intoxicated.

V. Social Aspects

Except for responsible drinking advertising:

1. Beverage alcohol advertising will contain no claims or representations that individuals can obtain social, professional, education or athletic success or status as a result of beverage alcohol consumption.
2. Beverage alcohol will not be advertised in any manner associated with abusive or violent relationships or situations.
3. Beverage alcohol advertising will not imply illegal activity of any kind or portray persons with any product in situations in which consumption of alcohol is prohibited.
4. No beverage alcohol brand advertising materials will portray beverage alcohol being consumed by a person who is engaged in, or is immediately about to engage in, any activity that requires a high degree of alertness or physical coordination.
5. Beverage alcohol advertising will not contain endorsement, personally or by implication, either directly or indirectly, by any person, character or group who is likely to be a role model primarily for persons below the legal purchase age.
6. Beverage alcohol may be portrayed to be part of responsible personal and social experiences and activities, such as the depiction of persons in a social setting, persons who appear to be attractive or affluent, and persons who appear to be relaxing or in an enjoyable setting.
7. Beverage alcohol advertising and marketing materials should not contain any curative or therapeutic claim except as permitted by law.

VI. Alcohol Content

Beverage alcohol advertising materials will not refer to alcohol content except in a straightforward and factual manner or promote the potency of a beverage alcohol product.

VII. Good Taste

1. No beverage alcohol advertising materials will contain advertising copy or an illustration unless it reflects generally accepted contemporary standards of good taste.
2. No beverage alcohol advertising materials will claim or depict sexual prowess as a result of beverage alcohol consumption.

3. Beverage alcohol advertising materials will not degrade the image, form or status of women, men, transgender, or any ethnic, minority, sexual-oriented, persons with disability, religious or other group.
4. Beverage alcohol advertising materials will not employ religion or religious themes.
5. Beverage alcohol brand advertising will not refer to the feeling and effect caused by alcohol consumption or show or convey the impression that people involved are under the influence of alcohol.
6. Beverage alcohol advertising will not attempt to establish any such product as a necessity for the enjoyment or life, or an escape from life's problems.

VIII. Responsible Consumption Statements

Statements encouraging responsible drinking shall be included in beverage alcohol advertising, marketing materials and promotional events where practicable.

IX. Digital Marketing Communication

1. Digital marketing communications on a site or web page controlled by the brand advertiser that involve direct interaction with a user shall require age affirmation by the user prior to full user engagement of that communication to determine that the user is of legal purchase age.
2. User-generated content on a site or web page controlled by the brand advertiser shall be monitored and moderated on a regular basis.
3. Digital marketing communications that are intended to be forwarded by users should include instructions to individuals downloading the content that they should not forward these materials to individuals below the legal purchase age.
4. Digital marketing communications must respect user privacy.
5. Digital marketing communications and product promotions must be transparent as brand marketing and shall be identified as such.

Definitions

"***Age affirmation***" is a process or a mechanism by which users provide their full date of birth (month, day and year) and, when appropriate, country of residence to affirm they are of legal purchase age. Age affirmation mechanisms may vary depending upon available technology and examples could include, among other things, an age affirmation page, an email or instant messaging age affirmation, or the use of a site's "registered user" database of users of legal purchase age. If a user enters a date of birth that indicates they are under the legal purchase age, access to a member-controlled website should be denied and visitors should be given an appropriate message and/or directed to an information website on responsible drinking.

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

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

"***Primary appeal***" to persons under the legal purchase age if it has special attractiveness to such persons beyond the general attractiveness it has for persons of legal purchase age.

"***Sponsorships***" are commercial, contractual agreements between a beverage alcohol company (the sponsor) and a sponsored party or sponsorship property establishing an association between the sponsor's brands or products and the sponsored party or sponsorship property in return for rights to promote this association.

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

Code Review Process

The Code supplements those advertiser obligations outlined under relevant Canadian federal and provincial laws and regulations as well as those contained in the Canadian Code of Advertising Standards administered by Advertising Standards Canada (Ad Standards).

Consumer complaints about alcoholic beverage advertising may be reviewed and adjudicated against both the Canadian Code of Advertising Standards and this Code by Ad Standards.