



Tasmania

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COMMISSIONER  
for LICENSING

FILE No:
DOC:
MARS/PRISM:

Mr S Gregson  
General Manager  
Adjudication Branch  
Australian Competition and Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

Attention: Sarah Chubb

Dear Mr Gregson

#### APPLICATIONS FOR AUTHORISATION A91054 AND A91055

I refer to your letter dated 14 June 2007 inviting comment on two applications for authorisation lodged by the Distilled Spirits Industry Council of Australia Inc and others (the Applicants).

The proposed Retailer Alert Scheme, which is intended to extend the coverage of the Alcohol Beverages Advertising Code (ABAC) standards to include the naming and packaging of alcoholic beverages, is supported in principle. Because alcohol is a potentially harmful commodity I consider it is appropriate that brand names and packaging designs that are used as marketing or advertising tools should be subject to regulation.

I have some concern that the ABAC is administered by the Applicants, including DSICA an industry body representing alcohol manufacturers across Australia. The ABAC is contained on the DSICA website. The Code has the appearance of a system of self regulation that lacks any real enforcement. I am aware of criticisms that the existing Code has been ineffective because of past failures to take action against inappropriate alcohol advertising.

For the ABAC to be effective, I believe that compliance with the Code should be made mandatory through the introduction of appropriate legislation by the Australian Government. Further, I would like the existence of the Code to be more widely promoted to the public, as the Code relies upon complaints to the Adjudicator to trigger the processes set out in the Code. If the community lacks any awareness or understanding of the Code, the incidence of complaints is likely to be extremely low.



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I do not wish to make a detailed submission at this time. However, I would like to be informed of the status of the applications at the draft and final determination stages.

Yours sincerely



W K Sawford  
**COMMISSIONER FOR LICENSING**

10 July 2007