



FILE No:

DOC:

MARS/PRISM:

Distilled Spirits Industry Council of Australia Inc.

11 October 2007

Mr Scott Gregson  
General Manager  
Adjudication  
Australian Competition & Consumer Commission  
PO Box 1199  
DICKSON ACT 2602

Dear Mr Gregson

**Re: Applications for Authorisation A91054 and A91055 – Details of  
Communication Strategy supporting Retail Alert Scheme implementation**

I am writing to you concerning paragraph 6.66 of the draft determination issued by the Australian Competition & Consumer Commission (ACCC) on 12 September 2007 in relation to Applications for Authorisation A91054 and A91055, and to Ms Sarah Chubb's email transmissions of 2 and 3 October 2007. These communications relate to your request for further details concerning the communication strategy being developed by the Alcohol Beverages Advertising Code (ABAC) Management Committee for the implementation of the proposed Retailer Alert Scheme.

As you are aware, applications for authorisation A91054 and A91055 relate to the proposed introduction of a Retailer Alert Scheme, whereby alcohol beverages with names or packaging that are found to breach the proposed Alcohol Beverages and Packaging Code are sold-down or withdrawn from the market and retailers are asked not to place further orders.

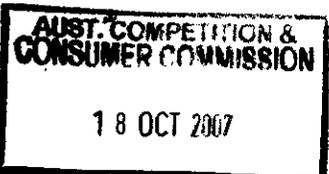
To date the ABAC Management Committee has been liaising closely with industry stakeholders to inform them of the proposed Retailer Alert Scheme. Governments from all jurisdictions have also been apprised of developments through the government representative on the management committee reporting to the Ministerial Council on Drug Strategy (MCDS).

The ABAC Management Committee also recently launched a website to enhance community knowledge of ABAC Scheme (see: [www.abac.org.au](http://www.abac.org.au)). This website represents a major step forward and currently includes:

- an up to date copy of the current Alcohol Beverages Advertising Code;
- information regarding the management, administration and implementation of the ABAC Scheme;

"Free The Spirit"

1st Floor 117 Ferrars Street (PO Box 1098) South Melbourne Victoria 3205 Australia  
Telephone: 61 3 9696 4466 Fax: 61 3 9696 6648 Website: [www.dsica.com.au](http://www.dsica.com.au) Email: [admin@dsica.com.au](mailto:admin@dsica.com.au)  
ABN: 38 754 934 673 Reg. No. A0025393P



- Rules and Procedures;
- Adjudication Decisions; and
- Links to the Advertising Standards Bureau for lodging complaints.

If approved and implemented, the website will include the new Alcohol Beverage and Packing Code as well as all relevant statistics and data; each of the signatories to this application will also post the code on their respective websites. Additionally, the websites of a number of Government agencies and major companies currently link to the ABAC website, permission will be sought from these organisations to post the announcement of the new ABAP Code, which will publicise the new Code to a potentially far wider audience than the ABAC site alone could achieve.

In addition, the ABAC Management Committee has been contacting trade journals to communicate the scheme to the industry. A brief article appeared in National Liquor News in September 2007 (attached) and a more substantive article will appear as part of the broader communication roll-out. A number of signatories to this application maintain regular columns in these journals, or indeed publish their own journal (e.g. the AHA's OURhotel), and it is our intention that the ABAP Code would be actively promoted in these publications.

On past performance, a wide public announcement is not necessary to generate enough complaints to solidly test the scheme. Our experience, gained from running the scheme for advertising, has shown that a small number of issue-based advocates generate a substantial number of the complaints, precisely to test the advertising system. We can reasonably anticipate that some of these (e.g. the Australian Drug Foundation and VicHealth) will be very active in ensuring that the new naming and packaging elements are also put to the test. This is not a criticism of them for doing so as we are proud to run a system which accepts public complaint, but it is a fair assessment of what we can expect to occur. On past performance with advertising, any adverse finding against a name or package can be expected to generate news coverage in the mainstream media (e.g. Sydney Morning Herald) or in industry media sources.

However, there is currently limited knowledge of the proposed Retailer Alert Scheme outside industry and government. This is because the Management Committee has been waiting for ACCC approval of its applications for authorisation before it widely publicises the scheme.

The ABAC Management Committee has developed a draft Communications Plan that will be implemented contingent upon the final ACCC determination and implementation of the ABAP Scheme as follows:

- November/December 2007:
  - Media release following ACCC approval and acceptance of determination by Applicants – AAP Newswire release to print, radio, television, major parties, press gallery;
  - Posting of Code and details on [www.abac.org.au](http://www.abac.org.au);
  - Articles in all major trade journals (ie, National Liquor News, Drinks Trade, OURHotel, Bartender);
  
- January 2008:
  - Develop tri-fold brochure describing the scheme for distribution to government, health sector and NGOs;
  - Write to MCDS requesting further promotion of the scheme among government agencies across Australia;
  - Contact health/consumer affairs journalists;
  
- January/February 2008:
  - Media release prior to start-up - AAP Newswire release to print, radio, television, consumer groups;
  - Write to health sector and NGOs;
  - Industry workshops (February 2008 and beyond);
  
- March/April 2008 (and beyond)
  - Publicise any complaints/decisions on website

DSICA (the current chair of ABAC) will be engaging a full time member of staff in December 2007 with communications expertise to oversee the implementation and management of the communications strategy as part of their role.

If you have any queries in relation to this correspondence, please do not hesitate to contact Mr Peter Phillips on telephone (03) 9696 4466.

Yours sincerely,



Gordon J. Broderick  
**Executive Director**