

# DEUTSCHER WERBERAT

## GERMAN ADVERTISING STANDARDS COUNCIL CODE OF CONDUCT ON ALL FORMS OF COMMERCIAL COMMUNICATION FOR ALCOHOLIC BEVERAGES (Valid from January 2026)

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### Definitions:

For the purposes of this code of conduct:

- Commercial communication includes advertising, for example on TV, via out-of-home media, in newspapers or magazines, on the radio, but also internet/mobile advertising, advertising on social networks, on video platforms, sponsoring, or display advertising at the point of sale; it does not include the pure presentation and designation of the product, labeling and packaging, or editorial media content,
- Alcoholic beverages are all beverages containing alcohol in any quantity, excluding beverages that are allowed to be designated alcohol-free,
- Minors are all persons to whom the sale of advertised alcoholic beverages is prohibited under the German Protection of Minors Act (*Jugenschutzgesetz*).

### Preamble

The members of the German Advertising Federation (*Zentralverband der deutschen Werbewirtschaft/ZAW*), are of the firm opinion that:

- Commercial communication is a fundamental and indispensable part of free and fair competition.



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- Most people in Germany consume alcoholic beverages responsibly without harming themselves or others.

Recognising that abusive consumption of alcoholic beverages can have serious consequences for the persons concerned, for their families and friends, and for society as a whole, the producers and importers of alcoholic beverages organised in ZAW acknowledge their obligation to shape commercial communication for their products in such a way that it does not promote abusive consumption of alcoholic beverages.

Based on this commitment, producers and importers of alcoholic beverages aim to:

- prevent representations and claims made in commercial communication for their products from being misconstrued as promoting abusive consumption of alcoholic beverages,
- prevent representations or statements in commercial communication for their products from specifically targeting minors,
- promote competitive behavior in line with these rules of conduct and counteract non-compliant behavior by conducting training on the correct application of the rules and disseminating further information, so that the requirements of these rules of conduct are observed in addition to legal requirements when creating commercial communication.

Producers, retailers, and importers of alcoholic beverages, as well as media and agencies, ensure within the scope of their possibilities that the legal provisions in the field of commercial communication for alcoholic beverages are complied with, in particular the provisions of the Act Against Unfair Competition (UWG), food law (LFGB), youth protection law (JuSchG, JMStV), and media law (MStV).

Beyond the legal restrictions, as members of the German Advertising Federation (ZAW), they have drawn up the following Rules of Conduct on Commercial Communication for Alcoholic Beverages. Compliance with this Code of Conduct, organization of the complaints procedure and the assessment of complaints are the responsibility of the German Advertising Standards Council.

The requirements contained in these Rules of Conduct clearly regulate which advertising messages producers, retailers, and importers of alcoholic beverages may not send to which target groups in which form, and provide companies with a clear guideline.

Commercial communication for alcoholic beverages shall comply in both content and presentation with the principles set out in the following:

## **1. Abusive Consumption**

- 1.1 Commercial communication for alcoholic beverages must not promote abusive consumption of alcoholic beverages or trivialise such consumption. No situations may be depicted that make such behavior appear acceptable.
- 1.2 Commercial communication for alcoholic beverages must not display any person who has visibly consumed too much alcohol or gives the impression that such consumption is acceptable.

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- 1.3 Commercial communication for alcoholic beverages must not create any association between the consumption of such beverages and violent, aggressive, antisocial or dangerous conduct
- 1.4 Commercial communication for alcoholic beverages should promote responsible consumption of alcoholic beverages and shall not disparage abstinence from such beverages or moderate consumption of alcoholic beverages.
- 1.5 Commercial communication for alcoholic beverages must not depict consumption during pregnancy and breastfeeding; advertising must not generally be directed at pregnant or breastfeeding women or downplay the consumption of alcoholic beverages during pregnancy.
- 1.6 Commercial communication of 'flat-rate' and 'all you can drink' offers indicates that the advertised event aims to foster excessive consumption and is a promotion of abusive consumption referred to in section 1.1. and violates this Code of Conduct.

## **2. Minors**

- 2.1 Commercial communication for alcoholic beverages must be directed exclusively to persons above the legal minimum drinking age.
- 2.2 Individuals depicted in commercial communication for alcoholic beverages must at minimum be 18 years old and give the impression of being young adults. This also applies to members of promotion team.
- 2.3 Commercial communication for alcoholic beverages must neither promote drinking of alcoholic beverages by minors nor show minors in the act of drinking or promoting the drinking of such beverages.
- 2.4 Commercial communication for alcoholic beverages must not take place in media whose editorial content is predominantly aimed at target groups below the legal minimum drinking age for the consumption of alcoholic beverages. This also applies to commercial communication for alcoholic beverages via offers from or by influencers on social networks which, based on a comprehensive assessment of the individual case, is predominantly aimed at minors.
- 2.5 Commercial communication for alcoholic beverages must not make any claim or representation to the effect that minors are not old enough to consume alcoholic beverages and so provoke drinking.
- 2.6 Commercial communication for alcoholic beverages must not show persons stating that they drank alcoholic beverages as minors.
- 2.7 Commercial communication for alcoholic beverages must neither be shown on sports kits worn by sports teams comprising minors nor be conveyed in advertising and sponsoring campaigns that are directly related to minors
- 2.8 Sampling or promotional activities must not be directed at individuals who have not reached the legal minimum drinking age for the consumption of alcoholic beverages. Promotion teams should be instructed to request proof of age in case of doubt and, if necessary, to refuse the service of alcoholic beverages.

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## **3. Active competitive athletes**

Commercial communication for alcoholic beverages must not depict active competitive athletes consuming alcoholic beverages or—for example, by raising a toast—encouraging the consumption of such beverages.

## **4. Driving under the influence**

4.1 Commercial communication for alcoholic beverages must not show any person drinking or promoting drinking while driving a vehicle.

4.2 Commercial communication for alcoholic beverages must not create any association between the consumption of alcoholic beverages and the driving of a vehicle.

## **5. Safety in the Workplace**

5.1 Commercial communication for alcoholic beverages must not show consumption of alcoholic beverages in situations constituting a breach of safety rules. This includes, for example, the operation of potentially dangerous machinery.

5.2 The principle of situational sobriety applicable in the workplace must also be reflected in commercial communication.

## **6. Health Claims**

6.1 Commercial communication for alcoholic beverages must not make any claim to cure, relieve or prevent any ailment.

6.2 Commercial communication for alcoholic beverages must not claim that alcoholic beverages have any medicinal effect.

6.3 Commercial communication for alcoholic beverages must not show persons wearing clothing typical of the healthcare professions, healthcare trades or the pharmaceutical trade.

## **7. Alcohol content**

7.1 Commercial communication for alcoholic beverages may provide consumers with information regarding alcohol content; however, it must not emphasize high alcohol content as a distinctive brand feature or as an inducement to purchase.

7.2 Commercial communication for alcoholic beverages must not give the impression that a beverage's low alcohol content prevents abusive consumption.

## **8. Disinhibition, anxiety and conflict**

8.1 Commercial communication for alcoholic beverages must not make any claim relating to the disinhibiting effect of alcoholic beverages

8.2 Commercial communication for alcoholic beverages must not make any claim relating to the elimination or relief of anxiety.

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8.3 Commercial communication for alcoholic beverages must not make any claim or representation relating to the elimination or resolution of psycho-social conflicts

## **9. Performance/Social Success**

9.1 Commercial communication for alcoholic beverages must not make any claim relating to improvement of physical performance as a result of consuming alcoholic beverages.

9.2 Commercial communication for alcoholic beverages must not give the impression that consumption of alcoholic beverages promotes social or sexual success.

9.3. The consumption of alcoholic beverages must not be portrayed as a cause of social or sexual success.

## **10. Denigration and discrimination against people**

Commercial communication for alcoholic beverages must not encourage or condone any form of discrimination based on ancestry, religion, gender/gender identity, age, disability, or sexual orientation, nor the reduction of individuals to sexual objects. The specific codes of conduct of the German Advertising Council (Deutscher Werberat) against denigration and discrimination of persons shall apply.