

CODE
OF BEST MARKETING PRACTICES
IN THE POLISH SPIRITS
INDUSTRY

PREAMBLE

Alcoholic beverages are inherent to the culture and tradition of Poland. Alcohol is part of social life, and the responsible consumption of alcohol is socially acceptable. As responsible alcohol producers and distributors, we are proud of our brands and their role in dining, social meetings, and festivities celebrating life's most special moments.

We are also aware that excessive or irresponsible consumption of alcoholic beverages may lead to adverse effects on personal and social life, and on the health of both a single person and the whole of society.

This Code of Best Marketing Practices obliges alcohol producers and distributors to promote the responsible consumption of alcohol in line with the highest standards that the signatories of this Code have accepted. This Code also prescribes that their marketing and informational activity shall not encourage excessive consumption or abuse of alcohol, and such behaviour shall not be portrayed in an approving or tolerant way.

APPLICATION

This Code of Best Marketing Practices applies to all activities aimed at informing and promoting alcohol brands, and to the marketing efforts covering all alcohol brands and products produced, sold and distributed by the members of the Polish Spirits Industry as well as the other signatories of this Code. This Code also applies to: advertising of the brands (including promotion inside and outside main offices), innovation efforts related to the brands, experimental marketing, communication with clients and consumers, development and contents of websites dedicated to the brands, their marketing and communication using Internet tools and other new media such as mobile phones, labeling and packaging, PR, product naming, relationship marketing, direct selling, and promotion in retail and catering.

FUNDAMENTALS

All forms of advertising, promotional and informational activity covered under this Code shall:

- obey the laws, express truth and follow the customary rules of fair competition and good practice in business;
- be socially aware and draw upon the principles of honesty and good faith.

All forms of advertising, promotional and informational activity covered under this Code shall not:

- violate any local laws or regulations applicable to advertising;
- be unethical or otherwise harm human dignity or integrity;
- approve of excessive or irresponsible consumption of alcohol, or encourage it;
- portray a negative view on abstinence or moderate consumption of alcohol;

- be intended for a target group or be targeted to persons below the legal drinking age;
- portray people appearing intoxicated or otherwise suggest that intoxication is acceptable;
- suggest any associations with brutal, aggressive, unlawful, dangerous or anti-social behaviour;
- feature offensive or humiliating content, or any form of discrimination of race, sexual orientation, religious beliefs, political views, culture, sex, etc.

RULES

1. Minors¹

- 1.1 The target group for all marketing, promotional, and informational activity carried out by the signatories of this Code shall be persons of the legal drinking age only and exclusively.
- 1.2 No marketing, promotional or informational activity shall be intended for a target group or be targeted to minors, or be addressed mainly to minors, or portray minors consuming alcohol.
- 1.3 No marketing, promotional and informational materials shall portray models or actors below 25 years of age who appear to be younger or who behave inappropriately for their age.
- 1.4 No minors shall be hired for promotional events, directly or indirectly.
- 1.5 Where the law permits product sampling, all reasonable efforts shall be taken to prevent minors from accessing product samples.
- 1.6 No marketing, promotional and informational activity shall use items, images, style, symbols, music or persons (real or fictional, including figures from animated films or famous people such as sports celebrities) that are targeted mainly at minors.
- 1.7 No marketing, promotional and informational activity shall use brands, names and logo of other articles than alcoholic beverages, for example games, game equipment, sports garments and equipment or other items targeted mainly to minors.
- 1.8 No marketing, promotional or informational activity shall portray the consumption of alcoholic products, directly or indirectly, as a means of improving performance and mental ability or helping in one's success.
- 1.9 No marketing, promotional or informational activities shall demonstrate alcoholic beverages by associating them with the status of the adult, reaching adulthood or rituals of becoming adult.
- 1.10 No marks identifying alcohol brands, including logo, trademarks or names, shall be used or licensed for use on toys or games for children, or any other materials targeted mainly at minors.
- 1.11 Materials and activities informing about alcohol brands shall be publicised in the media and during events that may be assumed as targeting persons of legal drinking age.
All signatories of this Code, collaborating agencies and media houses will be informed about this obligation and shall help implement it.

¹ For this Code, minors are defined as: "Young people below 18 years of age, or older if so required for the [purposes of the] legal drinking age."

1.12 All alcoholic beverage websites and other promotional activities on the Internet shall provide an interim page that will display an express request for confirmation by the visitor of his/her legal drinking age.

2. Alcohol and Driving

2.1 No activities covered under this Code shall demonstrate or suggest that the consumption of alcoholic beverages is acceptable or tolerated before or during the driving/operation of any motor vehicles, such as cars, motor boats, water scooters, snow scooters, planes, etc.

3. Dangerous and Recreational Activities

3.1 No activities covered under this Code shall suggest that the consumption of alcoholic beverages is acceptable before or during: operation of potentially dangerous devices, performance of work that requires concentration for safety reasons, or executing potentially dangerous actions of recreational or professional nature.

3.2 No alcoholic beverages shall be portrayed during consumption by a person who is performing or is about to perform actions requiring a high level of concentration or physical fitness.

4. Health Issues

4.1 No marketing, promotional and informational materials shall contain any statements related to health.

4.2 No informational activity may state or suggest that alcoholic beverages could have healing properties or that their consumption could help prevent, cure, or treat any illness, or improve physical fitness.

5. Pregnancy and Breastfeeding

5.1 No marketing, promotional, or informational materials shall in any way portray pregnant women or target them.

5.2 No marketing, promotional, or informational materials shall in any way portray breastfeeding women or target them.

5.3 No marketing, promotional, or informational materials shall in any way demonstrate that pregnant or breastfeeding women are encouraged or recommended to consume alcohol.

6. Alcohol Content

6.1 The signatories of this Code accept responsibility for the proper marking of their products.

6.2 Information shall not disguise the nature of alcoholic beverages and their alcohol content.

6.3 Commercial information may present alcohol content data for consumers, but should not emphasise high alcohol content as the predominant factor in informational materials of any brand. In addition, the information must not suggest that the consumption of low-content alcoholic beverages helps avoid alcohol abuse.

7. Consequences of Consumption

7.1 No activity covered under this Code may create a feeling that the consumption of alcoholic beverages improves or in any way enhances mental ability, physical fitness or endurance, or that it stimulates the consumer during activities requiring concentration for safety reasons.

7.1 No activity covered under this Code shall promote alcoholic beverages as energy drinks.

7.2 No activity covered under this Code may create a feeling that the consumption of alcoholic beverages has tranquilising or therapeutic effects.

8. Social Success

8.1 No activity covered under this Code shall suggest that the consumption of alcoholic beverages is needed to gain acceptance of society or to help achieve any kind of success.

9. Sexual Performance

9.1 No activity covered under this Code shall suggest that the consumption of alcoholic beverages improves sexual potential, attractiveness or leads to sexual relations.

9.2 No alcoholic beverage marketing materials shall refer to sexual performance and attractiveness as arguments for selecting a given brand.

9.3 No marketing materials shall contain or portray graphic or excessive nudity, explicit sexual acts, sexual promiscuity or indecent imagery or language.

10. Responsible Consumption Message

It is fundamental for advertising messages to portray only moderate and responsible consumption of alcohol. The signatories of this Code shall not tolerate or encourage excessive or irresponsible consumption of alcohol, or demonstrate acceptance for the effects of alcohol-induced intoxication. They shall not portray persons drinking much or very quickly, or suggest that such behaviour is attractive or proper.

10.1 All advertising, promotional and information materials shall contain an explicit message concerning the responsible consumption of alcohol.

- 10.2 All promotional activities shall contain elements dedicated to responsible consumption of alcohol, such as banners/advertisements on tables featuring such a message and/or programmes promoting safe drive home or second-driver option.
- 10.3 The responsible drinking message shall be express and comprehensible for an average consumer and, therefore, its size depends on the carrier, placement and form of advertising.
- 10.4 In addition, all websites of the brands shall contain a statement of social awareness in business and links to social organisations that the advertiser is a member of, such as the sites of Portman Group and Century Council.

11 Environmental Protection

- 11.1 The signatories of this Code make every effort in the area of environmental protection to contribute to the sustainable development of the environment.

LEGAL COMPLIANCE AND SANCTIONS

This Code is not intended to replace any existing legal regulations, but to ensure framework criteria for the operation of self-reliant companies and organisations that produce, import and distribute alcoholic beverages. Any complaints regarding the violation of this Code will be processed by a collective Conciliation Committee of the Polish Spirits Industry. A decision of the Committee can be appealed against to the General Meeting of the Polish Spirits Industry. Sanctions will be imposed by collective decision for violations of this Code, by majority of 2/3 votes of either the Committee or the General Meeting.

If violation of the terms and conditions of this Code is confirmed, the Committee can order the discontinuation of a given form of advertising or promotion. Decisions confirming a violation of the Code will be published in a nationwide newspaper at the cost of the guilty party, within 7 days after receiving the decision, or the final decision in case of an earlier appeal. Should one party be judged guilty of violating the Code on two occasions within a period of three years, the Committee will impose a financial penalty of PLN 1,000-20,000. The adjudicated penalty will be forwarded for social purposes, chosen by the Committee.

COMPLIANCE WITH CODE

This Code shall be complied with by all signatories. This Code constitutes an integral part of the process of approving all marketing, promotional and informational materials, and shall be applied in day-to-day activities.

Among the fundamental obligations of every producer, importer and distributor of alcoholic beverages is giving assurance that the provisions of this Code are obeyed. Every signatory of this Code is responsible for creating their own compliance processes to ensure that both the content and the spirit of this Code are followed.

Advertising agencies, market research contractors, promotion agencies, distributors, other third-party consultants and their collaborators shall receive a copy of this Code together with other information, and shall comply with its provisions in all activities performed for the signatories of this Code.

