



Foundation for Alcohol  
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19 May 2016

Mr Andrew Cappie-Wood  
Secretary  
NSW Department of Justice  
GPO Box 7060  
SYDNEY NSW 2001

Dear Mr Cappie-Wood

**COMPLAINT UNDER SECTION 102 OF THE LIQUOR ACT 2007: FREE VB NSW BLUES CAN PROMOTION**

I wish to make a formal complaint about The Daily Telegraph's in partnership with Carlton & United Breweries, Woolworths (BWS) and National Rugby League (NRL) alcohol promotion: *Free VB NSW Blues Can*. This promotion is a clear contravention of sections 102(2)(a), 102(2)(d) and 102(2)(f) of the *Liquor Act 2007* (the Act), as it involves the provision of free drinks that is likely to have special appeal to minors due to the promotion's association with the upcoming State of Origin rugby league match.

I believe this promotion breaches section 102(2)(a) of the Act, which states that the Secretary may restrict or prohibit undesirable promotion of liquor if they are of the opinion that 'the promotion is likely to have a special appeal to minors because of the use of designs, names, motifs or characters in the promotion'. The release of limited-edition blue VB cans which are based on the NSW Blues' team jersey is likely to have special appeal to minors, particular young, New South Wales (NSW) Blues' supporters.

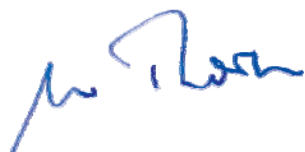
Secondly, this promotion breaches section 102(2)(d) of the Act, which states that the promotion can be restricted or prohibited if it 'involves the provision of free drinks'. Free beer can be redeemed from participating BWS stores in NSW and the Australian Capital Territory (ACT) by using a coupon that will be included in The Saturday Telegraph on 21 May 2016. This allows for the provision of just under \$1 million (\$3.75 per can, average Saturday newspaper circulation of 260 000)<sup>1,2</sup> of free beer to NSW and ACT residents.

Lastly, this promotion breaches section 102(2)(f) of the Act, which states that the promotion can be restricted or prohibited if it is 'otherwise in the public interest'. In addition to the promotion's provision of free drinks and its likely appeal to minors, it is completely irresponsible of The Daily Telegraph, in conjunction with Carlton & United Breweries, Woolworths and the NRL, to be promoting alcohol in relation to a high-profile, family sporting event. The Saturday Telegraph is a newspaper that is read by families across NSW and the State of Origin is a game watched by thousands of families across Australia.

Research has consistently found that exposure to alcohol advertising is associated with earlier initiation of alcohol consumption and higher consumption in those young people who are already drinking.<sup>3,4,5</sup>

I request that you exercise your power under sections 101(2)(a), 102(2)(d) and 102(2)(f) of the Act to prohibit this promotion. Please don't hesitate to contact me if you would like to discuss this issue further.

Yours sincerely



MICHAEL THORN  
CHIEF EXECUTIVE

cc: Compliance Branch

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<sup>1</sup> Don't miss your free\* limited edition VB blues can only with The Saturday Telegraph. (2016, May 14). *The Daily Telegraph*. Retrieved May 19, 2016, from: <http://www.dailytelegraph.com.au/entertainment/competitions/dont-miss-your-free-limited-edition-vb-blues-can-only-with-the-saturday-telegraph/news-story/87a9a8e31ea969242ea232ab9b036e87>

<sup>2</sup> 999,000 reasons your Telegraph is tops in NSW. (2016, 11 March). *The Daily Telegraph*. Retrieved May 19, 2016, from: <http://www.dailytelegraph.com.au/news/999000-reasons-your-telegraph-is-tops-in-nsw/news-story/d74f57e98f99b26f1ac6239013585b7a>

<sup>3</sup> Anderson, P., de Bruijn, A., Angus, K., Gordon, R., & Hastings, G. (2009). Impact of alcohol advertising and media exposure on adolescent alcohol use: A systematic review of longitudinal studies. *Alcohol and Alcoholism* 44(3): 229–243.

<sup>4</sup> Gordon, R., MacKintosh, A.M., & Moodie, C. (2010). The impact of alcohol marketing on youth drinking behaviour: a two-stage cohort study. *Alcohol and Alcoholism* 45(5): 470–480.

<sup>5</sup> Smith, L.A., & Foxcroft, D.R. (2009). The effect of alcohol advertising, marketing and portrayal on drinking behaviour in young people: Systematic review of prospective cohort studies. *BMC Public Health* 9(51).