



## CORPORATE AFFAIRS AND COMMUNICATIONS

*Corporate Affairs*

### 6.10 Advertisement and Giveaway Policy

*January 1, 2023*

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#### **Policy Statement**

The Nova Scotia Liquor Corporation (NSLC) is responsible for promoting responsible advertising and sales, and developing policies related to its mandate.

#### **Purpose/Objective**

This policy is governed by the requirements of the Liquor Control Act (LCA) and the Nova Scotia Liquor Corporation Regulations (the Regulations). Where there is a conflict between the information contained in this policy and the LCA, the Regulations, or other applicable legislation, the legislation and Regulations will take precedence over this policy.

#### **Policy Scope**

This policy applies to all manufacturers, industry associations, agents, and retailers of beverage alcohol in the Province of Nova Scotia as well as all persons or companies advertising beverage alcohol in the Province of Nova Scotia.

#### **Definitions**

Advertisement: Any communication that is intended to promote a beverage alcohol brand or the sale of a beverage alcohol product made via public media including but not limited to the following:

- broadcast on television, radio, or the internet
- published in a newspaper, magazine, on the internet or any other electronic medium
- displayed on a billboard, sign, poster, banner, or other publicly visible medium including in-store signage
- displayed on a product's label, packaging, or container.

Agents: Authorized representatives of beverage alcohol producers including Registered Representatives and their employers.

Industry Associations: Groups of local manufacturers recognized by the NSLC as industry representatives and lobbyists.

Social Media: A social digital platform that allows for the posting of content in an unpaid or paid manner. This can be to a targeted, paid, or general audience.

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Approval date: October 21, 2022

Effective date: January 1, 2023

Approved by: Board of Directors

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Vouchers: Printed form used to redeem beverage alcohol product at manufacturer retail stores (including online), Private Wine and Specialty Stores or at NSLC retail stores.

**Directives**

**1. Responsible Advertisement Placement**

- 1.1. Advertising shall be placed only in media where the majority of the audience is expected to be 19 years of age or older.
- 1.2. Internet and social media advertisements shall include age filters for 19 years of age or older where possible.
- 1.3. Outdoor advertisement shall not be placed at locations within 200 meters of any identified health facilities, homeless shelters, any primary or secondary schools, or any location where services are regularly provided to children or individuals with addictions.
- 1.4. Social Media
  - 1.4.1. Social media communication that involves direct interaction with a user shall require verification of the user’s age prior to any engagement with the user.
  - 1.4.2. User-generated content, such as comments, photos, or videos, on a site or page controlled by a brand shall be monitored and moderated on an ongoing basis.
  - 1.4.3. Social media communications that are intended to be forwarded or used by third parties shall include instructions regarding content placements and engagement with minors.

**2. Responsible Advertisement Content**

- 2.1. Advertisements shall not appeal to minors directly or indirectly.
- 2.2. Advertisements shall not feature in any significant role anyone who appears to be under the age of 25.
- 2.3. Advertisements shall not promote consumption in general.
- 2.4. Beverage alcohol depicted in advertisements shall only show sealed beverage alcohol or beverage alcohol poured to a single standard drink.
  - 2.4.1. The amount of beverage alcohol depicted in advertisements shall not exceed the number of individuals depicted in the same image or video.
- 2.5. Advertisements shall not:
  - 2.5.1. use offensive or discriminatory language;
  - 2.5.2. use language that devalues or ridicules people who choose not to consume beverage alcohol;
  - 2.5.3. suggest that consumption of beverage alcohol is a rite of passage into adulthood;
  - 2.5.4. depict the consumption of beverage alcohol in tandem with a skilled activity such as driving, playing sports, or working;
  - 2.5.5. depict any activities that are illegal, criminal, unsafe, or involve risky behaviour.

**3. NSLC Logo and Asset Usage**

- 3.1. The NSLC logo shall not be used in advertisements.
- 3.2. Use of NSLC provided assets in social media advertising shall be permitted.

- 3.3.** NSLC assets, including provided images, used in advertisements, excluding social media advertisements, shall require prior written approval from the NSLC Responsible Retailing Advisor.

**4. Beverage Alcohol Giveaways**

- 4.1.** When engaging in beverage alcohol giveaways local manufacturers may provide free beverage alcohol directly to customers as outlined in this policy.
- 4.2.** When engaging in beverage alcohol giveaways manufacturers and agents may provide vouchers as outlined in this policy.
- 4.3.** Manufacturers, agents, and retailers may engage in beverage alcohol giveaways to customer and community groups for the purpose of brand or product promotion or in response to customer complaints.
- 4.3.1.** Beverage alcohol purchased at the NSLC may be returned through the NSLC or the manufacturer in the case of a local manufacturer.
- 4.4.** Manufacturers and agents may engage in beverage alcohol giveaways to their employees.
- 4.4.1.** Beverage alcohol giveaways to employees shall not be used to replace payment of wages or as a bonus.
- 4.5.** Beverage alcohol giveaways, including vouchers, shall ensure care and control and shall not promote over consumption.
- 4.5.1.** The NSLC may publish limits on the amount of beverage alcohol that may be provided in a given promotion or period.
- 4.6.** Manufacturers shall log and record quantity of beverage alcohol and customer name for all beverage alcohol giveaways, including vouchers.
- 4.6.1.** Manufacturers shall log all voucher control numbers issued to sales representatives.
- 4.7.** Records on beverage alcohol giveaways, including vouchers, shall be kept for a minimum of seven years.

**5. Vouchers**

- 5.1.** Vouchers are required for all beverage alcohol giveaways to be redeemed at NSLC retail stores or Private Wine and Specialty Stores.
- 5.2.** Voucher design and costs are the responsibility of the manufacturer, agent, or distributor and shall contain the following:
- Control numbers and a dedicated character code
  - Producer name or identification
  - Package size and format
  - List of replacement products at the same retail price
  - Authorized signature and customer signature line
  - The words “exchange for specific manufacturer product only”
  - Security features to ensure the voucher cannot be duplicated
  - The words “not redeemable for cash”
- 5.3.** The NSLC shall reconcile vouchers and bill manufacturers or agents for the retail value of the product.

- 5.4. Vouchers used at NSLC retail stores shall be promptly paid for when billed back to manufacturers or agents.
- 5.5. The NSLC shall maintain copies of vouchers for seven years and destroy them when the retention period has expired.

**6. Non-beverage Alcohol Giveaways**

- 6.1. Manufacturers, agents, and retailers may engage in non-beverage alcohol giveaways with customers and community groups for the purpose of product promotion or customer complaint.
  - 6.1.1. Non-beverage alcohol giveaways with a retail value of \$250 or greater shall be logged indicating the product included and the customer’s name.
- 6.2. Records of non-beverage alcohol giveaways shall be kept for seven years.

**7. Oversight and accountability**

- 7.1. Manufacturers, agents, and retailers are responsible for adherence to this policy and the corresponding guidelines.
- 7.2. The NSLC may request advertisements from a manufacturer be submitted for review.
- 7.3. The NSLC shall review advertisements and promotions on an as needed basis.
- 7.4. Reviews and outcomes shall be the responsibility of the NSLC Responsible Retailing Advisor.
- 7.5. Enforcement activities as stated in the Manufacturers and Permit Policy apply to all advertising and giveaways of beverage alcohol within the Province of Nova Scotia.