

Implementation Guideline on the Advertising Ban of Alcohol Control Act Section 32, Chapter 4

After the Alcohol Control Act was enacted on February 14, 2008, the Disease Control Department, Ministry of Public Health of Thailand published a guideline on the advertising ban according to the Alcohol Control Act, Section 32, Chapter 4. The purpose of this document is to educate the general public, manufacturers, distributors and retailers on the law by providing a list of unlawful advertising practices. This is to clarify the law, to help enforcing the Alcohol Control Act and ultimately to prevent underage drinking.

Advertisement violating the Alcohol Control Act Section 32 is the act of:

1. Creating a misperception that alcohol consumption leads to social success, attractiveness, and health improvement.
2. Encouraging and inviting general public to purchase and consume more alcohol beverages.
3. Having public figures including actors, actresses, singers, sports players, and laborers, or youth age below 20 years old as a presenter in the ads. Using cartoon images in the ads.
4. Showing the image of alcohol beverage, its packaging or its container.
5. Providing give away, prize, and free gift.
6. Exaggerating health benefits or quality of alcohol beverage.
7. Other advertisement along the line of this practice.

Advertisement by the brewery or manufacturer is permitted with a condition that it does not conflict with the above guideline. The advertisement could provide information and creative knowledge to the society without showing images of the products or its containers. Images of alcohol beverage's and the brewery company's logos or trademarks are allowed to be displayed in the ads.

The above practice should also be consistently implemented according to other related laws.

Note: Logo and trademark of brewery, manufacturer and alcoholic beverage can be displayed only as a part of providing information and creative knowledge in the ads. Showing the logo images as the main purpose of the ads is not allowed. The ads need to be produced by the brewery only.

Alcohol Beverage Control Act, B.E. 2551 (2008)

Section 32. Advertising or displaying names or trademarks of alcohol beverage deemed to show their qualifications or persuade people to drink such alcohol beverage either directly or indirectly is prohibited.

Any advertising or public relations made by manufacturers of alcohol beverage of all kinds can be done only for the purpose of giving information and creative knowledge without displaying pictures of the products or packages, except for the display of symbol of such alcohol beverage or the symbol of the company manufacturing the alcohol beverage. This shall comply with the Ministerial Regulations.

Provisions of the first and second paragraphs shall not apply to the advertisement originated outside the Kingdom of Thailand.

References:

Alcohol Beverage Control Act, B.E. 2551 (2008) (Disease Control Department, Ministry of Public Health of Thailand).

The Government Public Relation Department; Notification for alcohol beverage advertisement on broadcasting radio and television.

Food Act B.E. 2522 (1979) (Food and Drug Administration; Notification for alcohol beverage advertisement).

The Consumer Protection Act B.E. 2522 (1979) (Ministerial Regulations: Alcohol beverage advertisement in cinema and billboard ads).