



## FTC Asked To Tread Lightly in Ad Space

By John Eggerton -- Broadcasting & Cable, 10/5/2006 1:02:00 PM

The advertising industry is concerned about a push by state Attorneys General to get the Federal Trade Commission to crack down on alcohol advertising.

Back in March, the FTC asked for comment on what kind of marketing information it should seek from the industry in its effort to gauge compliance with self-regulations prohibiting alcohol ads in media with an audience of more than 30% viewers 20 years old or younger, i.e. under the legal drinking age.

In a paper (insert paper) being published by the [Washington Legal Foundation](#), American Association of Advertising Agencies Counsel Adonis Hoffman, joined by attorney David Versfelt, warn that "opponents of alcohol advertising are readying their troops to transform the commission's recent request for data in to tighter ad restrictions by reducing that audience figure.

They cite a filing by attorney's general saying the industry needed to do more to reduce underage drinking. Most public interest groups want the industry to ban alcohol ads from shows with audiences of 15% or viewers 20 or under.

Advising the government to tread lightly given the First Amendment protections of truthful, non-misleading ads for legal products, Hoffman and Versfelt argue the industry is already taking steps to curb underage drinking, that there are less restrictive means to the government's goal of restricting it, and that it is too soon to tighten the 30% prohibition to 15%, saying that the ban has been in effect for less than two years and it is too early to rule on its effectiveness.

They also point to several studies they say 1) undermine the assertion that alcohol ads entice kids to drink and 2) point to alternative factors such as peer pressure, parents and their environment.