

CORRESPONDENCE

Alcohol Industry Interference to Avoid Regulation of Availability: A Case in Brazil

Dear Editor,

Worldwide advances in effective alcohol policies have been minimal and even more limited in low- and middle-income countries (LMICs; Jernigan & Trangenstein, 2017). Actions taken by the economic sector are recognized as a key factor in the slow uptake of effective policies (Savell et al., 2016). On one side, there are predatory digital marketing, the ubiquitous distribution of alcohol—including a sharp increase in e-commerce sales largely stimulated by the COVID-19 pandemic—and new branding strategies in LMICs (Pantani et al., 2021). On the other, tactics to improve the alcohol industry's image, such as corporate social responsibility actions, and interference in the development of national, regional, and global alcohol policies (McCambridge et al., 2018) have boosted the industry's political power to resist regulation.

One of these tactics is the preemption of laws coupled with the adoption of self-regulation or voluntary measures to stave off stronger statutory regulation (Savell et al., 2016). A recent illustrative example took place in Brazil, a major market for the alcohol industry. For years, media attention in the country has focused on serious alcohol-related accidents, including deaths and rapes, connected with university parties. In 2015, a letter to the editor in the *Journal of Studies on Alcohol and Drugs* described preliminary findings of a scientific study conducted in São Paulo city on the relationship of 60 active university student sports clubs with the alcohol industry (Noto et al., 2015). This research was later published as a full article in 2017 (Pinsky et al., 2017) and found that almost all the university clubs had a signed contract with breweries, sponsoring the clubs' gatherings, including "open-bar" parties. These events offer unlimited availability of alcoholic beverages and were described as the most important environmental factor for severe alcohol intoxication among youth 18–24 years old in Brazil (Carlini et al., 2014).

In 2016, soon after the letter to the editor was published, the Brazilian Association of Beer Industry, CervBrasil, announced that ". . . all CervBrasil associates are signatories of an agreement in which they commit to no longer offer sponsorship for university parties, such as 'open bar', where

drinks are consumed without limits for a fixed price" (Estadão Conteúdo, 2016). This public announcement did not mention the results from the Brazilian study but received abundant attention in the national media. It also presented the industry's decision as a way "to promote responsible consumption of its products" (CervBrasil, 2016). In sum, the decision was framed to the public as a selfless, voluntary action taken by the beer industry.

In April 2019, a bill was proposed by a congresswoman in the São Paulo State House of Representatives to ban "the purchase, sale, supply, and consumption of alcoholic beverages in public and private schools, including those at universities; and expressly prohibiting open bar parties, in these same institutions, throughout the State of São Paulo." An announcement by the alcohol industry on the subject seemed to suggest agreement of the sector with the bill. Instead, what followed the bill proposal was a classic corporate strategy to delay new regulations.

In December 2019, less than 3 months after the bill received a first favorable vote from a Committee Chairperson to proceed, the National Brewery Industry Union, SindCerv, which includes some of the largest transnational breweries in the world, announced a "public and voluntary" commitment for nonsponsorship of open-bar university events (Sindicato Nacional da Indústria de Cerveja, 2019). In contrast, the bill's advancement in the São Paulo House of Representatives proceeded at a slow pace; it took 2 years for it to be mentioned in one of the Committee's public meetings. On that occasion, it was revealed that SindCerv put pressure on legislators, through emails and phone calls, not to approve the bill, mentioning their "public commitment" (Assembleia Legislativa do Estado de São Paulo, 2021). In September 2019, a second Committee Chairperson voted against the measure, suggesting that it was unconstitutional. The negative vote meant that the bill was withdrawn from voting priorities and the reinstatement of its discussion in the House would require concentrated political will. As a result, there are, to date, no further developments in the approval of the bill and a high likelihood the proposed law will "die."

The case described here suggests that the alcohol industry in Brazil tries to shape the policy environment by strategi-

cally using the media and averting the creation of tougher legislative regulations. The literature on alcohol industry activities depicts a series of tactics used to advance the industry's commercial interests, including questioning unfavorable science, recruiting public health scientists to advance views amenable to its economical perspective, and selecting data that benefit the industry. Besides the influence on data production and dissemination, the alcohol industry may threaten legal challenges when governments propose regulations that are seen as disadvantageous and build relationships with key policymaking actors (Hoe et al., 2022; Rossow & McCambridge, 2019). Therefore, it is pivotal that Brazilian society and legislators become aware of the public health risks posed by the alcohol industry's interference in the lawmaking process. Reducing the burden of disease caused by alcohol consumption requires addressing these kinds of corporate influence.

Conflict-of-Interest Statement

The authors declare no competing interests. Daniela Pantani is a consultant at the Pan American Health Organization. The views expressed in this correspondence are those of the authors only and do not necessarily reflect the position or views of the Pan American Health Organization.

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References

- Assembleia Legislativa do Estado de São Paulo. (2021). Comissão de Constituição, Justiça e Redação - 24/02/2021. Retrieved from <https://www.youtube.com/watch?v=nGoZVY7BHEw>
- Carlini, C., Andreoni, S., Martins, S. S., Benjamin, M., Sanudo, A., & Sanchez, Z. M. (2014). Environmental characteristics associated with alcohol intoxication among patrons in Brazilian nightclubs. *Drug and Alcohol Review, 33*, 358–366. doi:10.1111/dar.12155
- CervBrasil. (2016). Cervejarias se unem contra o patrocínio de festas universitárias com bebida livre. Retrieved from http://www.cervbrasil.org.br/novo_site/cevejarrias-se-unem-contr-patrocinio-de-festas-universitarias/
- Estadão Conteúdo. (2016, October 27). Cervejarias deixam de patrocinar 'open bar' universitário. Retrieved from <https://vejasp.abril.com.br/cidades/cevejarrias-vetam-patrocinio-a-open-bar-universitario-em-todo-o-pais/>
- Hoe, C., Weiger, C., Minosa, M. K. R., Alonso, F., Koon, A. D., & Cohen, J. E. (2022). Strategies to expand corporate autonomy by the tobacco, alcohol and sugar-sweetened beverage industry: A scoping review of reviews. *Globalization and Health, 18*, 17. doi:10.1186/s12992-022-00811-x
- Jernigan, D., & Trangenstein, P. (2017, June 26–28). *Global developments in alcohol policies: Progress in implementation of the WHO global strategy to reduce the harmful use of alcohol since 2010*. Background paper developed for the WHO Forum on Alcohol, Drugs and Addictive Behaviours. Retrieved from https://wwwapp.bumc.bu.edu/BEDAC_Camy/_docs/resources/publications/Global%20Developments%20in%20Alcohol%20Policies.pdf
- McCambridge, J., Mialon, M., & Hawkins, B. (2018). Alcohol industry involvement in policymaking: A systematic review. *Addiction, 113*, 1571–1584. doi:10.1111/add.14216
- Noto, A. R., Botêquino, M. C., Lucas Dos Santos, E., Bedendo, A., & Pinsky, I. (2015). The hidden role of the alcohol industry in youth drinking in Brazil. *Journal of Studies on Alcohol and Drugs, 76*, 981. doi:10.15288/jsad.2015.76.981
- Pantani, D., Sanchez, Z. M., Greene, C., & Pinsky, I. (2021). The alcohol industry "smart affordability" strategy is to reach the poor. *Drug and Alcohol Review, 40*, 509–510. doi:10.1111/dar.13195
- Pinsky, I., Noto, A. R., Botêquino de Moraes, M. C., Lucas Dos Santos, E., Sparks, R., & O'Brien, K. (2017). Alcohol industry sponsorship of university student sports clubs in Brazil. *Journal of Studies on Alcohol and Drugs, 78*, 306–312. doi:10.15288/jsad.2017.78.306
- Rosow, I., & McCambridge, J. (2019). The handling of evidence in national and local policy making: A case study of alcohol industry actor strategies regarding data on on-premise trading hours and violence in Norway. *BMC Public Health, 19*, 44. doi:10.1186/s12889-018-6348-y
- Savell, E., Fooks, G., & Gilmore, A. B. (2016). How does the alcohol industry attempt to influence marketing regulations? A systematic review. *Addiction, 111*, 18–32. doi:10.1111/add.13048
- Sindicato Nacional da Indústria de Cerveja. (2019). Compromisso público e voluntário pelo não patrocínio a eventos universitários – "Open bar." Retrieved from https://www.sindicerv.com.br/wp-content/uploads/2020/02/191203_lamina_compromisso_publico_TL_Saida.pdf