

MMWAH 5 X 20ML BOTTLES MIXED FLAVOUR ALCOHOLIC DRINKS

PRODUCER: Harwood Drinks Ltd

SUMMARY OF DECISION

The Independent Complaints Panel ruled that the product, in its current packaging, did have a particular appeal to under-18s. When considering the overall impression conveyed by the pack of five 20ml miniature bottles enclosed within the secondary wrapping, the Panel concluded that the style of font, bright colours and language as well as the bottles' miniature size caused the product to have a particular appeal to under-18s. The product was found in breach of Code rule 3.2(h).



LICENSEE ACTION AND TIMETABLE FOR IMPLEMENTATION

Licensees are asked not to place orders for stocks of MmWah 5 x 20ml bottles of mixed flavour alcoholic drinks, in the packaging shown, after 31 March 2016. Licensees who place orders before this date should consider limiting the order to the quantity that would normally be sold by this date.

JANUARY 2016

The product opposite has been found in breach of the Portman Group's Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.

Licensees who currently stock the product shown opposite should take careful note of the Licensee Action and Timetable for Implementation sections.

The following should be borne in mind:

- manufacturers are not legally bound to buy back stock from retailers even if the current stock infringes the Code;
- licensees should continue to honour any existing purchase orders and not sell existing stock other than by normal retail trade;
- when reviewing a liquor licence, a licensing authority may enquire about licensees' compliance action with regards to products that breach the Code, so it would be advisable to keep any relevant records, for example the date of new orders placed.

If you have any questions or wish to receive a copy of the Code or additional copies of this Bulletin, please contact: Portman Group, 4th Floor, 20 Conduit Street, London W1S 2XW. Tel: 020 7290 1460; or email info@portmangroup.org.uk

The Portman Group Code is supported by over 140 Code Signatories representing the overwhelming majority of the drinks industry. The Secretary of State's Statutory Guidance under the Licensing Act 2003 states that licensing authorities should, in the exercise of their licensing functions (in particular, in relation to an application for the grant, variation or review of a premises licence), consider whether it is appropriate to impose conditions on licences that require the licence holder to comply with the Portman Group's Retailer Alert Bulletins.

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