RESEARCH QUESTION
How alcohol brands use sports to communicate despite a strongly restricting legal environment?

THEORETICAL BACKGROUND
The French law strictly defines what is permitted and what is prohibited in terms of communication for alcohol brands (1991 Evin law, 2009 HPST law called “Bachelot” law). This legislation dealing with alcohol publicity is among the strictest in the world and it is particularly the case when it deals with sports, sport organisations and sporting events. For instance, sponsorship activities are banned when they aim or create direct or indirect publicity in favour of alcohol beverages. On one hand this legislation is praised by many and constitute an example to follow in terms of public health, while on the other hand it is criticised for disadvantaging both alcohol companies and brands, and sport organisations and events (Davies, 2009). However, this legal corpus is not exhaustive and many acts and practices do not appear in these laws letting judges and referees decide whether or not they are illegal, creating in turn areas of uncertainty.

Despite this strict legal context, alcohol brands remain actively in search for associations with sports, benefitting from these grey areas and a public opinion that seems to remain undecided regarded these practices. This willingness to associate alcohol brands with sports and sporting events is essentially motivated by the fact that it significantly and efficiently improves their brand image, which in turn positively influences purchase decisions (Lardinoit & Nagard, 2004). This is particularly the case within the alcohol industry as it was shown that branding represents a highly or very highly influential factor for about 40% of alcohol purchasers (Datamonitor, 2009). However, because of
this restricting legislation, the marketing strategies implemented by alcohol brands often have to be creative and sophisticated. They are often based on new products and on innovative communication campaigns but also frequently play around boundaries between what is legal and what is not. Based on these observations, this study aims first to describe and characterise and second to categorise alcohol brands’ marketing and communication campaigns using or associated with sports, athletes, sporting events in France.

METHODOLOGY AND ANTICIPATED RESULTS

The on-going data collection currently focuses on alcohol brands' marketing and communication campaigns launched in France and/or perceived by French consumers, and jurisprudence decisions from 2014. Numerous cases have already been collected and are being analysed. As an example, advertising campaigns in paper and online medias dedicated to sports and slogans directly referring to the sports vocabulary (e.g. “no rules, great scotch”; “try it with cola”) were observed. The results of this analysis to be presented at the conference will improve our knowledge in terms of creative communications and “law-flirting” practices that are of direct interest of public authorities and sport organisations, which should aim to protect themselves from illegal practices and possible scandals which could create negative publicity and word-of-mouth. The analysis strongly refers to the concepts of unconventional/conventional marketing (Cova & Saucet, 2014; Levinson, 1984) which constitute the main theoretical framework of the study. In turn, this work of characterisation and classification will serve as a foundation for further investigations which will for instance consist in questioning the legislator regarding these practices and the spirit of the law, analysing their effects on various targeted segments (e.g. young people) and comparing these practices with those from countries with different legal contexts.

References:


Datamonitor (2009), Datamonitor Consumer Survey, April/May. Cited in Datamonitor (2010), Ambush Marketing Case Study: Successfully leveraging high-profile events to raise brand profile, July.

