

Ethics of wine Marketing in India

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ABSTRACT: This article explores the ethical responsibilities of Wine Marketing in India. The ethical responsibilities are important for this industry because in Indian alcohol industry the unethical practices are very frequent which are affecting the society as well as the economy. Alcohol is a unique, legal drug that is linked closely to personal and social identities and which consequently leads to both positive and negative consequences. The interstate infiltration, fabrication with actual product, is some frequent alarming issues. In India this industry is media dark and only surrogate advertising is allowed, the very purpose of banning advertisement today is defeated by surrogate advertising. Here a different product is being promoted using an already established brand name. Such advertisements help in contributing to brand recall. This is completely unethical, and then what is the use of banning such advertisements. We all strive to behave ethically and expect ethical behavior from those with whom we work. The way towards maintaining ethical business standards is by examining the moral character of business people, employees and consumers. The article is based on exploratory study on this issue, prior study and research on this issue is in nascent stage.

KEY WORDS-

- 1-Ethics
 - 2-Wines
 - 3-Wines Marketing
 - 4-Advertising
 - 5-Legal Drinking Age
 - 6-Drunk and drive
 - 7-Drunkenness
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I. OVERVIEW-

Alcohol is one of the commonly consumed intoxicating substances all over the world. In India it is highly regulated. Here in India the excise policies are basically governed by the concerned state governments, the various regulations are varying from state to state

II. LICENSING LAWS-

World Health Organization⁷ recommends that member governments should begin to reduce per capita consumption by reducing the availability of alcoholic beverages. Prohibition is incorporated in the Constitution of India among the directive principles of state policy. Article 47 says: "The state shall regard the raising of the level of nutrition and standard of living of its People as among its primary duties and in particular, the state shall endeavor to bring about prohibition of the use except for medicinal purposes of intoxicating drinks and of drugs which are injurious to health." Alcohol policy is under the legislative power of individual states. Prohibition, enshrined as an aspiration in the Constitution, was introduced and then withdrawn in Haryana and Andhra Pradesh in the mid-1990s, although it continues in Gujarat, with partial restrictions in other states – Delhi, for example, has dry days. There was an earlier failure of prohibition in Tamil Nadu. Excise department regulate and control the sale of liquor in the NCT of Delhi. Retail supply of alcohol is regulated by Delhi Liquor License Rules, 1976. It prohibits consumption and service of liquor at public places. This also prohibits employment to any person (male under the age of 25 years or any female) at any licensed premises either with or without remuneration in part of such premises in which liquor or intoxicating drug is consumed by the public. Similarly no individual should possess liquor at one time more than the prescribed limit without special permit. As per excise rules in Rajasthan, a person can possess maximum 3 liters of Country Liquor, 6 Liter of IMFL and 12 Bottles of Beer. The Bombay Prohibition Act, 1949, prohibits the importation, transportation, purchase, sale, consumption and use of all intoxicants. The Cable Television Network (Regulation) Amendment Bill, in force September 8, 2000, completely prohibits Cigarette and alcohol advertisements. The government controlled channel, Doordarshan, does not broadcast such advertisements but satellite channels however are replete with them.

III. DRUNKENNESS-

Drunkenness is defined as the condition produced in a person who has taken alcohol in a quantity sufficient to cause him to lose control of his faculties to such an extent that he is unable to execute the occupation on which he is engaged at the material time. Section 84 of the Bombay Prohibition Act 1949 provides that any person, who is found drunk or drinking in a Common drinking house or is found there present for the purpose of drinking, shall on conviction, be punished with fine which may extend to five hundred rupees. Section 85 provides that any person found drunk and incapable of controlling himself or behaves in a disorderly manner under the influence of drink in any street or thoroughfare or public place or in any place to which public have or permitted to have access, shall on conviction, be punished with imprisonment for a term which may extend to one to three months and with fine which may extend to two hundred to five hundred rupees.

IV. DRUNKEN DRIVING-

Across the world, governments have defined different acceptable blood alcohol levels. However, there is no minimum threshold below which alcohol can be consumed without risk. With rise in blood alcohol concentration, there is progressive loss of driving ability due to increased reaction time, over confidence, impaired concentration, degraded muscle coordination and decreased visual and auditory acuity. Though the laws to check the drunken driving do exist in India but there is need to effectively impose the same on the alcohol impaired drivers. The blood alcohol content (BAC) limits are fixed at 0.03%. Any person whose BAC values are detected more than this limit is booked under the first offense. He/she may be fined about 2000 and/or he or she may face a maximum of 6 months imprisonment. If the person commits a second offense within 3 years of the first then he/she may be fined about 3000 and/or he or she may face a maximum of 2 years imprisonment. On 1 March 2012, the Union Cabinet approved proposed changes to the Motor Vehicle Act. As per the new provisions, drunk driving would be dealt with higher penalty and jail terms - fines ranging from 2,000 to 10,000 and imprisonment from 6 months to 4 years. Drink driving will be graded according to alcohol levels in the blood. In cases where alcohol level is less than 30 mg per 100 ml of blood, it doesn't amount to as an offence. For levels between 30-60 mg per 100 ml of blood, the proposed penalty would be 6 months of imprisonment and/or 2,000 as fine. For alcohol level between 60-150 mg per 100 ml of blood, the penalty would be one year imprisonment and/or 4,000. If the offence is repeated within three years, the penalty can go up to 3 years imprisonment and/or 8,000. For those who are found heavily drunk with alcohol levels of over 150 mg per 100 ml of blood, the penalty will be 2 years imprisonment and or 5,000. Repeat offence within a three year period would warrant a jail penalty and fine of 10,000 besides cancellation of license.

V. ALCOHOL ADVERTISEMENTS-

Advertising alcoholic beverages has been banned in India as per the Cable Television Network Amendment Bill which came into effect on 8 September 2000. Private channels often permit alcohol companies to advertise using surrogate means like selling the brand name for soda or water or music. In India this industry is Media dark and only surrogate advertising is allowed, the very purpose of banning advertisement today is defeated by surrogate advertising. Here a different product is being promoted using an already established brand name. Such advertisements help in contribute to brand recall. This is completely unethical, and then what is the use of banding such advertisements. Scientific research, health agencies and universities have, over decades, been able to demonstrate a correlation between alcohol beverage advertising and alcohol consumption, however, it has not been proven that alcohol advertising causes higher consumption rather than merely reflecting greater public demand. Many alcohol companies says that effective alcohol campaigns only increase a producer's market share and also brand loyalty Research clearly indicates that, in addition to parents and peers, alcohol advertising and marketing have a significant impact on youth decisions to drink. (The Center on Alcohol Marketing and Youth [CAMY]), "While many factors may influence an underage person's drinking decisions, including among other things parents, peers and the media, there is reason to believe that advertising also plays a role." (Federal Trade Commission, Self-Regulation in the Alcohol Industry, 1999).

VI. UNDERAGE DRINKING

Alcohol is the drug of choice among children and youngsters. If underage generating under the influence is not controlled at early levels, it finishes up as a typical practice among younger individuals and is often ongoing during their life. Whether it is specific regulations, enforcements or even an attention procedure this issue needs to be resolved with great emergency to control generating under the influence in the later part. But, regulations and enforcements cannot make a factor if the typical man does not realize his liability to drive clean.

If intoxicated generating is made culturally undesirable at the group level then it would ensure better road safety situations later on. Younger underage individuals or consumers can cause great damage as they absence generating experience and the capability to deal with liquor. These young individuals become risky with liquor because of their physical incapacity along with their penchant for risky habits such as speeding-along with a propensity both to ignore the repercussions of such actions and to overestimate their generating expertise causing the high collision rate among young individuals.

VII. THE LEGAL DRINKING AGE

Legal drinking age is the age at which a person can consume or purchase alcoholic food or alcoholic beverages. These laws cover a wide range of issues and behaviors, addressing when and where alcohol can be consumed. An important aspect of policy is to delay initiation among youth. One way of doing this is to enforce age limits. The legal minimum age to purchase liquor ranges from 18 years in some state to 25 years in others. Delhi has minimum age limit of 25 years. So far, the efficiency of enforcement has not been studied. It has, however, been shown that an increase in the age of legal drinking from 18 years to 21 years achieves nearly 60 per cent of the effect of prohibition on alcohol consumption.

VIII. THE INTERSTATE SUPPLY-

The Alcohol is a highly Controlled product and the various regulations are state governed. It is highly restricted to sale the product from one state to be sold in other state. Because of various differences of Taxes and duties the pricing varies significantly in certain states and because of which the illegal smuggling from one to other state is a major practice in certain state which causes a heavy loss to the government revenue. This practice reflects in a significant industry jump in some states. Like in north India Haryana is the state where the pricing is lowest which causes a heavy gain in its industry because of the illegal supply to other states.

IX. CONCLUSION-

The policies and regulations made by governments like-Against alcohol advertising, against drunkenness, against drunk and drive, underage drinking, licencing and to protect the interstate smuggling of alcohol products suggests that there are enough arrangements by the regulative agencies and government to protect the unethical practices in alkobev business. But meanwhile in all these arrangements there are certain loop holes which allows the business to encroach the ethics. like surrogate advertising is a way to advertise the product in which we use some cd, soda or some merchandise instead of alkohol, but the names used are enough for brand recall. No standard practice is there to stop the underage drinking and it is evident that the drinking age is decreasing every year. drunk and drive is also one very serious issue because around 70 percent of road accidents happens because of drink and drive. It needs to implement these policies in a more effective manner, Better awareness campaigns should be planned by the government to teach about the harms of alcohol consumption.

X. TERMS AND CONCEPTS-

Drunkenness-

Drunkenness is defined as the condition produced in a person who has taken alcohol in a quantity sufficient to cause him to lose control of his faculties to such an extent that he is unable to execute the occupation on which he is engaged at the material time.

The legal drinking age

Legal drinking age is the age at which a person can consume or purchase alcoholic food or alcoholic beverages.

Advertising-

Advertising is the nonpersonal communication of the information usually paid for and usually persuasive in nature about products, services or ideas by identified sponsors through the various media.

REFERENCE-

- [1] Alford, C. (2001). Whistleblowers: Broken lives and organizational power. Ithaca and London: Cornell University Press.
- [2] Allen, J. (2002). Women who blow whistles... U.S. News & World Report, 133(25), 48. Retrieved June 6, 2007, from EBSCO Online Database Business Source Complete.
http://search.ebscohost.com/login.aspx?direct=true&db=bt_h&AN=8780577&site=ehost-live

- [3] Amer, S. (2005). Do the right thing. *Successful Meetings*, 54(3), 72. Retrieved June 6, 2007, from EBSCO Online Database Business Source Complete. <http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=16441129> &site=ehost-live
- [4] Colvin, G. (2002). Wonder women of whistle blowing. *Fortune*, 146(3), 56. Retrieved June 6, 2007, from EBSCO Online Database Business Source Complete. <http://search.ebscohost.com/login.aspx?direct=true&db=bth&AN=7030100&site=ehost-live>
Framework for Alcohol Policy WHO European Region. World Health Organization Regional office for Europe April 4, 2006. Retrieved June 6, 2013.
- [5] Drink-drive campaign gets ugly". Independent Online. December 4, 2010. Retrieved June 6 2013
- [6] 7-Center on Alcohol Marketing and Youth 2004. Alcohol Advertising on Sports Television 2001 to 2003. Available http://www.camy.org/bin/s/a/Alcohol_Advertising_on_Sports_Television.pdf
- [7]
- [8]
- [9]