

GILLIAN BOWDITCH
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Whisky Makers Resort to Desperate Measures

Gillian Bowditch

Drinks producers are taking cheap shots in the fight over alcohol pricing

The health measure that could make the single biggest improvement to the lives of Scots will be decided on Wednesday. Five years after Nicola Sturgeon took on Big Alcohol — as the drinks industry is collectively known — the Supreme Court is set to rule on the latest appeal against the minimum pricing of alcohol in Scotland.

The first minister has been at her most determined best on the subject of alcohol harm. A former minister for health, she has, like most of us, seen at first hand the damage that alcohol abuse has wrought on generations of Scots. There can be few families untouched by the problem.

It may have taken the SNP government five years to get round to taking effective action, but the party's popularity at the ballot box has meant it has been able to pursue the policy as it winds its long and tortuous way through the courts in Scotland, England and Europe.

Plans for a minimum unit price (MUP) for alcohol were approved by MSPs in 2012 in the halcyon days of pre-Brexit Britain. They were challenged by the Scotch Whisky Association (SWA) and others, which argued that it breached EU law, could set a damaging precedent and could restrict the free movement of goods. The SWA argues that the policy goes against the fundamentals of the free market and that there are “less restrictive” ways of influencing the price of alcohol, such as excise duties and indirect taxation.

Summing up the spirits producers' case in July, their lawyer said it boiled down to the question: “Why not tax?” As he was doing so, the SWA was planning its latest campaign against duty. Bottles of whisky featuring a special Drop the Dram Duty have recently been sent to key journalists, influencers and lobbyists and a relentless campaign is under way on social media. I'm told that the whisky tastes of cynicism with top notes of hypocrisy.

The suggestion that taxation would work as effectively in controlling price does not take into account the way most determined boozers drink. Additional taxation has a disproportionate effect on the most expensive products — such as malt whisky — while barely touching the cheapest booze.

Three litres of white cider, containing the equivalent alcohol of 22 shots of vodka, can be bought for just £3.49.

Slap on an additional whopping 40% tax and you are still below a fiver a bottle, while the cost of a bottle of premium whisky or gin rises exponentially. Raise the MUP to 50p and the cider rises to more than £11 a bottle while the highest-quality products are untouched. The argument that it would penalise the least well-off is also spurious.

The cheapest alcohol — invariably white cider — is bought by the heaviest drinkers across all income groups. Well-off drinkers drink cheap booze in order to get the biggest bang for their buck. It's not the poorest but the heaviest drinkers who would be most affected by minimum unit pricing.

Doctors and campaigners against alcohol misuse would, in any case, argue that MUP is not a penalty but a health measure. There are precious few health measures which most benefit the poorest in society.

Research from Sweden, a country with both a highly regulated alcohol policy and some of the best health statistics in the world, suggests that raising the price of the cheapest alcohol has the biggest effect on reducing consumption and has a bigger positive health impact than across-the-board changes or price regulation at the top end of the market.

I have a lot of sympathy with the argument that the increasing determination of the state to police our private behaviour is robbing us of our ability to regulate ourselves, and it is unfortunate that this government is proving just as meddlesome as its Labour/Lib Dem predecessors. But with alcohol-related deaths up 10% in Scotland in 2016 and running at their highest level since 2010, it is clear that the message is not getting through.

As with the smoking ban, increasing the MUP has the potential to make a reasonably quick difference to health. As Dr Peter Rice, an addictions specialist and chairman of Scottish Health Action on Alcohol Problems, points out: "It's the drinking you do in the last year of life that kills you."

The biggest success the drink producers have had has been to turn alcohol from a product used only for special occasions and bought from specialist shops into an everyday commodity to be picked up with the milk. But society has always acknowledged the need to restrict alcohol and special rules have always applied to its sale.

Big Alcohol has big budgets when it comes to promoting its product and their marketing is becoming more insidious, particularly when it comes to the use of social media. Professor David Jernigan, director of the Centre on Alcohol Marketing and Youth at the Johns Hopkins Bloomberg School of Public Health in Baltimore, points out that more than half of the alcohol advertising young people are exposed to comes from fewer than 10% of brands.

Alcohol marketing is a big risk factor for underage drinking. Teenagers who have a T-shirt, a baseball cap or other promotional item with an alcohol brand's logo on it are 50% more likely to

start drinking than young people who don't, according to Jernigan. It's not just teenage drinking but middle-aged drinking we need to worry about, however.

What is so depressing is the alliance of the whisky manufacturers with the mass producers of the cheapest, crudest, industrial-style alcohol. The manufacturers of scotch have jealously guarded it and its definition is protected by law. Why risk tarnishing that by this unholy alliance?

We are proud of our Scottish traditions. Distilleries support rural and island communities. They are an important attraction for visitors. Whisky is a premium product, synonymous with Scotland in the eyes of the world. Most people drink responsibly and a dram of fine single malt is a thing of joy.

The MUP is not a panacea. It will not change things overnight, and governments should think long and hard before muscling their way into our kitchens, bedrooms or drinks cabinets. But at a time when the public purse is under severe pressure, and the costs of alcohol abuse to society and to the families blighted by it are so great, it is a simple and straightforward mechanism that could have similar health benefits to the smoking ban.

It is a single measure and Sturgeon to her credit has refused to water it down to suit the taste of the producers.

[@GillianBowditch](#)