Alcohol Brands on Facebook: The Challenges of Regulating Brands on Social Media.

ABSTRACT

In September 2012, the Australian Advertising Standards Bureau (ASB) made "landmark decisions" relating to the use of Facebook by vodka brand Smirnoff and beer brand Victoria Bitter (VB). The ASB determined that (1) a brand's Facebook page is a marketing communication tool and, (2) all content on the page falls under the industry's self-regulatory code of ethics, including consumer created content like user-generated comments and photos. The decisions come in response to a submission that the authors made regarding the Facebook pages of the two brands. These submissions were based on a research project that had monitored the use of Facebook by several Australian alcohol brands since late 2010 to identify how these brands use social media as experiential social spaces to engage consumers in the co-creation of content. This article reviews the ruling by analysing the advertisers' response to the complaint, the regulators' justifications for the decisions and the possibilities and limitations of regulating social media in general. It argues that although the ASB has acknowledged that brands are responsible for all content on their Facebook pages, the regulators' approach is of limited effectiveness given the way Facebook allows brands to embed themselves in the mediation of everyday life.

KEY WORDS: alcohol; advertising; social media; regulation

Introduction

The effect of alcohol marketing on the consumption habits of young people is a contested issue among health researchers, alcohol marketers and policy makers (Smith and Foxcroft, 2009; Gordon *et. al.,* 2010; AMA, 2012). Related and equally controversial is the question of how and to what extent alcohol marketing should be regulated. Many health researchers discuss the merits of stricter government regulations and restrictions to be imposed on alcohol marketing (Casswell and Maxwell, 2005; Jones and Donovan, 2002; Jones and Jernigan, 2010; Mart *et. al.*, 2009; Vendrame and Pinsky, 2011) and criticise the ineffectiveness of the predominantly self-regulatory system for alcohol advertising in Australia (Harker et. al. 2001; Jones and Donovan, 2002; Munro, 2006; Donovan *et. al.*, 2007; Jones *et. al.,* 2008; Pettigrew, 2012). Apart from government scheduling regulations regarding the broadcast of alcohol advertising on television all other dimensions of alcohol advertising in Australia are subject to a self-regulatory

system based on Industry Codes of Practice. Key institutions are the Advertising Standards Bureau (ASB) and the Alcohol Beverages Advertising Code (ABAC) Complaints Panel. The ASB administers the Australian Association of National Advertiser's (AANA) Code of Ethics, which covers issues such as taste and decency across all product categories. The ABAC Complaints Panel is responsible for administering the Alcohol Advertising Beverages Code (ABAC), which deals specifically with alcohol advertising.

So far, most of the research in the public health literature has focused on alcohol advertising in traditional media (television and print), paying little attention to other forms of alcohol marketing such as sponsorships, experiential marketing and other forms of below-the-line marketing (Jones and Jernigan, 2010). Only a few studies have addressed the prevalence, nature and extent of alcohol marketing on social media. The majority of these studies have focussed on how young people engage with alcohol and portray their 'drinking' identity on social media. Moreno *et. al.* (2010) identified that alcohol use is frequently referenced in adolescents' MySpace profiles (2010). Ridout *et. al.* (2011) found that portraying themselves as drinkers is considered to be socially desirable by young Facebook users. Griffiths and Caswell (2010) researched how young New Zealand students engage with and reproduce alcohol-marketing messages on Bebo. They argue that by sharing these messages young people create 'intoxigenic social identities' which normalise alcohol consumption.

Alcohol brands engage with these identity-making practices online. Mart *et. al.* (2009) undertook a qualitative examination of alcohol messaging on Facebook, finding that alcohol-related content on Facebook overwhelmingly fit the description of viral marketing which blurred the line between corporate advertising and user-generated content. Nicholls (2012) applied a systematic content analysis to social media content generated by alcohol brands. His results show that the brands investigated predominantly used real-world tie-ins, interactive games, competitions and time-specific suggestions to drink as strategic stimuli for consumer engagement online. While these studies have begun to map alcohol brand activity on social media, no significant attention has been paid to how this mode of branding relies on the participation of ordinary users. Research is needed that addresses how below-the-line marketing channels are used by alcohol brands, how alcohol brands strategically attempt to harness user-generated content, how social media and real-world promotional activities are interwoven and how young drinkers engage with marketing messages on social media (Jones, 2010; Gordon *et. al.,* 2010; Nicholls, 2012; Griffiths and Caswell, 2010). While some studies have raised questions about regulating social media (Mart *et. al.,* 2009; Hastings *et. al.,* 2010; Leyshon, 2011; Nicholls, 2012), no research has considered the specific problems of regulating social media in a detailed way. Some authors advocate a complete ban of alcohol marketing on social media platforms (Mart *et. al.,* 2009; Hastings *et. al.,* 2010; Leyshon, 2011). Nicholls (2012) in contrast questions whether such a ban could be effectively enforced. He points out that social media are different to 'traditional' media in the way they blur the boundaries between conventional advertising, consumer interaction and the broader social context in which these activities take place. He also criticizes the fact that recent extensions of regulatory codes[i] in the UK and the US have only applied existing regulations to social media. They

have not addressed the new challenges that are created by the unique features of a social media marketing environment (Nicholls, 2012).

The analysis to follow takes these critical perspectives as a starting point and considers the participatory, culturally embedded and surveillance capacities of social media marketing in relation to recent regulatory decisions. Considering these aspects of social media, the article argues that a fundamental reason why existing regulatory approaches will not be effective in the case of social media is that they are based upon a conceptualisation of advertising and marketing communication solely as the production of content by brands instead of a culturally embedded process where brands and consumers co-create content. This view has led the regulators to regard the content of media texts to be the main aspect that requires regulatory scrutiny, premised on the idea that 'content' represented in media texts like alcohol advertisements can be linked to behavioural phenomena like for example 'binge drinking' in a simple cause-effect model. As a consequence, self-regulatory codes like the Australian ABAC or the British CAP and BCAP outline in great detail unacceptable representational approaches in alcohol advertisements and assume a straightforwardly mimetic relation between representation and consumption practices (Cronin 2004). In this context Cronin (2004:44) argues the "circular arithmetic of textuality draws on circuits of belief about advertising and effectively elides issues of material effects whilst giving the appearance of a rigorous and efficient self-regulatory procedure". Thus, the regulatory codes successfully manage to displace issues of advertising effects and the effects of consuming alcohol solely onto the text of advertisements. The regulators' perspective on the nature of advertising however neglects not only the material effects of branding, promotion and consumption but also the extent to which advertising is a social form of communication, being negotiated, modified and used by an active audience and thereby becoming part of everyday cultural practices (Ritson and Elliott, 1999; Holt, 2002; Moor, 2003; Livingstone, 2008; Ruddock 2013). The mode of brand production associated with social media greatly amplifies these consumer activities. As a consequence, regulatory approaches which focus solely on official advertisements published by brands and their assumed meaning tend to elide how brands actively attempt to embed themselves in everyday cultural practices by using marketing strategies that go beyond what is traditionally understood as advertising. Social media with their interactive and participatory properties have become a new and important platform for these strategies (Ruddock 2012).

This article therefore argues that the central problem with current alcohol marketing regulation is that it pays too little attention to the broader cultural context in which alcohol brands act. This problem is amplified where brands use social media to interact with consumers and embed themselves within cultural practices that are mediated online. A necessary first step to reforming alcohol marketing regulation is to gain a clear understanding of the communication processes and communicative acts that are to be regulated. This article aims to contribute to such an understanding by re-conceptualising how branding on social media platforms works. It identifies three affordances of social media that challenge regulatory approaches that focus only on media content and its effects. These three affordances relate to social media's capacity to facilitate collaboration, embed branding in everyday life and monitor and respond to

consumers. This analysis could therefore act as a beginning framework for re-considering the regulation of alcohol marketing by taking into account the functionalities of social media platforms like Facebook and the way they enable alcohol brands to infiltrate and amplify everyday cultural practices in a way that contributes to a normalisation of alcohol consumption. We argue that this is a significant issue to consider because social media marketing institutionalizes a new dominant mode of brand production.

The article proceeds in two parts. In the first section, the Facebook activities of the alcohol brands Smirnoff and VB, that were the subject of the authors' submission to the regulatory bodies, will be summarised and contextualised. We submitted the complaint to the Advertising Standards Bureau (ASB), who involved the ABAC Complaints Panel to rule on alcohol-advertising specific matters. We also submitted the complaint to the Australian Alcohol Advertising Review Board (AARB), an initiative established in early 2012 by activist public health researchers affiliated with the McCusker Centre for Action on Alcohol and Youth at Curtin University (Perth, Australia). The first section addresses the question: How did the brands and the regulatory bodies conceptualise the brands' activities on Facebook in the context of the existing code of ethics?

The second section asks: how should brand activity on Facebook be conceptualised and regulated? It discusses the implications of the ASB's ruling in the broader context of attempts to regulate marketing in general and alcohol marketing in particular. While the regulatory codes offer expansive definitions of advertising, the applied positivist approach to understanding advertising based on the content of media texts and assumptions of their probable effects neglects the extent to which marketing on social media embeds itself within everyday cultural practices.

Determining the status of Facebook as a marketing communication channel

The researchers systematically observed and analysed 14 alcohol brands' official Facebook pages (Authors). The research found that alcohol brands engage with Facebook users in specific and strategic ways that aim to stimulate user-generated content that contributes to brands' image and marketing objectives. On Facebook alcohol brands

- Amplify cultural identities by involving consumers in the circulation of cultural practices and values. VB celebrated masculine mateship, national sporting prowess and idealised suburban leisure activities. Smirnoff promoted popular music and inner-city nightlife;
- Stimulate the integration of the brand and alcohol consumption in the mediation of everyday life on social media. These activities often involved interacting with consumers at cultural and sporting events to stimulate the mediation of the brand on social media (Nicholls (2012) calls these activities 'real world tie-ins);
- Manage the mediation of drinking culture in a way that challenges existing regulatory codes by prompting consumers to say things that brands are prohibited from saying.

Reviewing these practices the researchers considered that several of the activities

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appeared to be in breach of the regulatory codes. The Facebook pages of VB and Smirnoff in particular featured content that appeared to:

- **Promote the excessive consumption of alcohol.** For instance, VB regularly asked explicit questions that encouraged users to post comments regarding their alcohol consumption routines. On a Friday afternoon they posted: "it's nearly 5pm – time to crack the weekend's first VB". Users replied with comments such as: "what's this 5pm crap, cracked my first one hours ago", "FUCK THAT, I cracked my first 4 hours ago", "on the 8th already" and so on.
- **Discriminate and vilify.** For example, in reply to VB's question about what's needed for an Australia day BBQ fans' comments included "sluts", "pussy" and VB.
- **Attribute social and sexual prowess to the consumption of alcohol.** For example, in 2011 Smirnoff posted over 8,000 photos to its Australian Facebook page of fans at Smirnoff branded events and bars. Many of the uploaded photos by Smirnoff depict fans consuming the brand's products in social settings like music festivals and clubs, large boxes of empty vodka bottles and young males surrounded by attractive female Smirnoff promoters wearing tight fitting branded dresses.
- **Depict individuals under the age of 25.** Many of Smirnoff's images were taken of young people at music festivals or nightclubs who appeared to be under the age of 25. Advertisements must not feature consumption of alcohol by people who appear to be under 25.

The submission to the Advertising Standards Bureau

In the submission to the ASB the researchers asked the Board to consider whether the content:
- Failed to present a mature, balanced and responsible approach to the consumption of alcohol (ABAC code sections (a)(i) and (iii)).
- Depicted people under 25 years old in alcohol advertisements (ABAC code sections (b) (i) (ii)).
- Allowed user-generated content that discriminates or vilifies on account of race, ethnicity, nationality, sex, age, or sexual preference (AANA Code of Ethics Section 2.1).
- Presented images that suggested the use or presence of alcohol leads to a change in mood or the achievement of social or other success (ABAC code section (c)(i)).

The brands' response
In their response to the complaint, both VB and Smirnoff argued that the activities on their Facebook pages should not be considered advertising for three main reasons.

Firstly, these activities were "not calculated to be promotional for the brand" (ASB 2012/0271). Smirnoff claimed that the photographs were uploaded for the "benefit of those in the photographs" and that for this reason, they were not advertising material (ABAC 2012/59). VB argued that user comments needed to be regarded as statements

"of personal preference", and that they would not be "understood by the relevant audience as part of any advertisement or marketing communication" (ASB 2012/0271).

Secondly, these activities were targeted at "consumers who already purchase the brand" (ABAC 2012/59) and therefore should not be considered advertising.

Thirdly, the brands argued that they "lacked reasonable control" (ASB 2012/0271) over their social media pages and therefore could not be held responsible for user-generated content posted on their sites. VB equated the user comments on their Facebook page to "a conversation say at a restaurant or pub" (ASB 2012/0271). Furthermore, the brands suggested that consumers were unlikely to be offended by the material posted on their Facebook pages because they actively sought them out. VB concluded, "the VB Page will most likely only ever be seen by consumers who are already familiar with the VB product and who are likely to be familiar with the tongue in cheek, self-deprecating and ironic tone by which it is marketed" (ASB 2012/0271).

Both VB and Smirnoff attempted to frame social media as having two different value propositions for brands, which they wanted to be kept separate in terms of regulation. Firstly, they characterized Facebook as being similar to 'traditional' media channels in that brands can use it to expose consumers to paid-for marketing messages in the form of Facebook display banner advertisements. They accept that these activities should be subject to the regulatory code. Secondly, VB and Smirnoff acknowledged that Facebook pages are used as "a tool to network with adult consumers of legal purchase age" (ASB 2012/0272). However, the effects of these networking activities in form of user-generated content should be understood as being outside of the control of the brands and as a form of communication without commercial intent. The underlying implication here is that according to VB and Smirnoff these consumer engagement activities do not create value for the brands.

The regulators' determination

The ASB and ABAC panels disagreed with the view of the alcohol brands and decided that:
- The Code applied to a brand's Facebook site because it is "a marketing communication tool over which the advertiser has a reasonable degree of control and could be considered to draw the attention of a segment of the public to a product in a manner calculated to promote or oppose directly or indirectly that product" (ASB 2012/0271).
- The Code applied to "the content generated by the advertisers as well as material or comments posted by users or friends" (ASB 2012/0271). Furthermore, user-generated content will be evaluated in the context in which it appears, taking account of how the brand stimulated particular conversations or content.

ABAC explicitly stated that a contextual interpretation of user comments needed to be applied. They found that "user-generated content which is in direct response to the advertiser's own posts on the page, are important in assessing how a reasonable viewer

would be impacted by the images and words on the page" (ABAC 2012/59). For example, VB's post 'It's nearly 5pm – time to crack the weekend's first VB' promoted excessive consumption when read in relation to the comments they generated.

However, the ABAC Complaints Panel also ruled that photographs of young males with female Smirnoff models in their arms were unlikely to encourage associations between the brand, the consumption of alcohol and social success and/or sexual prowess. Yet one could argue that – particularly when read in conjunction with some of the user comments that the photos elicited – interpreting the images as containing connotations of social and sexual success is a possible. Some of the users made comments with explicit sexual references, for example 'First hot girl I've seen you two with for awhile', 'She's probably double the age of the one you're with now', 'Like a pimp' and 'Like a bawwss son'. Contrary to ABAC, the AARB panel upheld the complaint, arguing that "some of the images in conjunction with comments from 'fans' of the Facebook page are sexually provocative" (AARB 2012/46).

The decision made by the ASB regarding the social media activities of alcohol brands has far-reaching implications. The regulators acknowledged that the activities unfolding on the alcohol brands' pages were not just spontaneous dialogues or conversations, but represented the strategic use of communicative practices for commercial gain. However, when it came to regulating specific social media conversations or other user-generated content, the determinations by the ASB and ABAC appeared to be inconsistent. This inconsistency is at least partly a consequence of the focus on discerning the specific meanings in media texts and their effects on audiences' attitudes and behaviours underlying the regulatory approaches of the ASB and ABAC (and also of the alternative code proposed by the AARB). This approach is problematic for two reasons.

Firstly, in interactive, highly dynamic environments like Facebook it is increasingly difficult to determine what elements need to be considered as forming a media text to be regulated in the first place. For example, an image posted by an alcohol brand to their Facebook page might appear in several different contexts when fans tag themselves or their friends in these images. If they do so, these images are likely to appear in the fans' friends' news feeds, which constitute different contexts altogether, eliciting different consumer responses and comments. Consequently, media texts become part of a dynamic continuous production and flow of content which makes the 'interpretation' of an individual media text in relation to a particular context a problematic exercise from a regulatory perspective.

Secondly, and even more fundamentally, the focus on attempting to discern the particular meaning and effect of a text leads to a misrecognition of how branding works as an interactive cultural process.
Regulators need to acknowledge that the value alcohol brands derive from their activities on Facebook is only to a small extent based on posting specific media texts like advertisements or other individual media texts. What is important to brands is to become part of the mediated and brokered sociality that social media create (van Dijck 2011) and to successfully encourage the circulation of brand-relevant cultural meanings (Ruddock 2012).

Re-conceptualising alcohol marketing on social media

The brands' responses and regulators' findings lead us to consider three affordances of social media as a beginning framework for rethinking how branding works and how it should be regulated.

I. Social media: Enabling collaborative message creation
In their response to the complaint VB stated that "the opportunity to engage continuously and directly with a group of highly engaged 'fans' is very appealing to brands" (ASB 2012/0271). The reason why this opportunity is so appealing to brands is because over the last decade the understanding of what constitutes effective marketing communications has shifted considerably. Similar to individual advertisements, whose persuasive power has for a long time been questioned even by marketing and advertising practitioners (Sharp, 2012; Ehrenberg *et. al.*, 2002), a managerial top-down approach to branding has made way for a culturalist approach that incorporates consumers into the brand-building process. Where dominant marketing logic regarded the customer as exogenous to the brand's value creation efforts, more recent conceptualizations of branding regard consumers as co-creators of brands and therefore brand value (Jensen Schau *et. al.,* 2009; El-Amir and Burt, 2010). Brands have realised that they cannot prescribe meaning, but they can provide a cultural context in which brands and products are used (Arvidsson, 2005). Brand management therefore aims at pre-structuring what people do with brands in such a way that consumers are likely to produce or reproduce the desired social meaning of the brand (Arvidsson, 2005, Foster, 2008, Holt, 2002, Turner, 2010, Vargo and Lusch, 2004). Brands are successful when the social and aesthetic relationships that have been established around them help consumers in constructing and performing desired identities. Brands then derive value in the form of cultural capital by being embedded and re-produced in the consumers' life world. The more consumers appropriate the brand for their own productive practices, the more valuable cultural material (social relations, trends, styles, sub-cultural codes and meanings) they are likely to produce for the brand to appropriate.

Arvidsson (2006: 129) described this mode of branding as unfolding in an 'informational' environment where the brand acts as a kind of program, a platform for action, a loop that anticipates choices of action. At the same time 'consumer practice unfolds under more or less constant surveillance'. Facebook is a prime example of such a platform in that it allows brands to empower the productive capacities of consumers in a structured way so that they create value for the brand. Successful branding relies on the generalised productive activity of Facebook users (Dean, 2010). 'Engagement' on Facebook groups is valuable for alcohol brands because the interaction both incorporates the brand into consumers' identities and practices and produces valuable information (van Dijck, 2011: 11). The economic value of a brand, as measured by agencies like Interbrand or Young and Rubicam, and as evaluated by the marketplace, is partly determined by its reputation and consumers' affective relationship with the brand. These affective relations become tangible and measurable on social media in form of 'likes', 'retweets', ratings and other ways users engage with content. Social

media foster the 'formation of public affective relations' between consumers and brands and enable the manifestation of this 'public affect to act as an objective criterion of the value of individuals and other actors' (Arvidsson, 2012: 49). Considered most relevant for measuring the reputation of a brand are usually metrics like the number of times an object or media text is mentioned, the network centrality of the users mentioning it and the affective intensity with which they mention it (Arvidsson, 2012). This means that communication on Facebook – and its value to brands – is measured independently of ideas expressed in individual media texts. What counts is the formation of affective relations and dense networks around the brand.

When VB and Smirnoff argued that their Facebook activities were not promotional in character, they deliberately missed the point or conveniently misunderstood how Facebook works. Alcohol brands' activities on Facebook need to be conceptualized as a form of marketing where the 'messages' are predominantly co-created and only become meaningful when members of the public interact in the creation and circulation of this content. This is a kind of branding that is not only about constructing and disseminating particular messages (like television and print advertisements), but one that engages young drinkers in a continuous incorporation of the brand into their everyday life, peer networks, identity construction and cultural experiences. Facebook and similar social media platforms can be regarded as giant machines for self-promotion, and the aim of alcohol brands is to get themselves 'caught up' in these processes and become an embedded part of this mediated sociality. This happens in both explicit and implicit ways. Explicitly, the brands directly seek out the participation of the audience to like, comment, create, and share content. Implicitly, the brands embed themselves within the general mediation of drinking culture on social media.

Both VB and Smirnoff argued that material made available on their Facebook pages were only seen by those who actively sought them out (ASB 2012/0271-0272). However, this is not the case. Each time an individual interacts with an alcohol brand, technically they connect their whole 'social graph' (a term Facebook use to describe the peer networks of users) to that brand.[ii] For example, it is reasonable to assume that a significant number of the 8,000 photos Smirnoff posted on their Facebook page were distributed into the news feeds and peer networks of the brand's more than 150,000 Australian Facebook fans. Furthermore, every time one of those fans tagged, liked or commented on a Smirnoff photo it was also pushed into the news feed of the fan's peer network. The personal brand experience of the fan leads to the circulation of branded information within the broader mediation of their everyday life within their circle of friends. This 'brokered sociality' (van Dijk, 2011) draws attention to the limitations of a regulatory approach that is focused on assessing the content and (to a limited extent) the placement of advertising.

Another important aspect to consider when thinking about advertising and branding effectiveness in a social media environment is the fact that in recent years the advertising industry has re-considered the theoretical foundations of its practices. Whereas advertising strategies have mostly been based on the assumption that a change in attitude is needed to achieve behaviour change, advertisers have begun to adopt models based on cognitive behavioural psychology, which say that behaviour change

often precedes attitude change (Ferrier *et. al.*, 2012). This is significant because it represents a move away from established thinking about advertising strategy and practice. This approach is based on the assumption that getting consumers to take an action is more effective in changing their minds than actually trying to change their minds via traditional advertising. Since social media are inherently action-based media their appeal to advertisers becomes obvious – what is important from the point of marketing strategy is not so much exposing consumers to commercial messages, but making them (inter)act with the brand. For example, there is little difference between a brand like Smirnoff taking photos at events and uploading them to Facebook or a young fan taking a similar photo and uploading it to his Facebook page. In both cases the content of the image – people enjoying nightlife and consuming the product in a themed, branded environment is exactly the same. Arguably the second image is of even more value to the brand because it was actively taken by a consumer and therefore strengthens the affective bond between the brand, the young drinker and their peer network.

Implications for alcohol marketing regulation

Regulators need to respond to the collaborative nature of branding on Facebook. Regulatory regimes need to address how alcohol brands are responsible for the way they interact with and manage their 'co-creators' and should make it possible to hold alcohol brands responsible not just for what they say, but for the kinds of audience participation and mediation they invite and encourage.

II. Social media: Collapsing the distinction between advertising and promotion

In its current form, the ABAC scheme does not cover non-traditional forms of advertising, such as sponsorships, promotional events and other below-the-line marketing activities. Because of its limited scope, the regulatory regime is regarded as inadequate to deal with the broad range of modern marketing techniques (Jernigan, 2011; Pettigrew, 2012). The new regulatory code by the Australian Alcohol Advertising Review Board is more comprehensive, including explicit regulations covering outdoor and alternative media as well as sponsorships. However, even this code does not reflect and provide for regulating how alcohol brands nowadays use social media to integrate offline and online activities into a seamless marketing process. What both regulatory codes miss is that spaces of consumption – clubs, music festivals – are inherently promotional spaces. Taking and uploading photos, 'checking in' at locations via Facebook Places, posting status updates and similar activities have become routine cultural practices. Thus, alcohol brands do not need to advertise at these events; they just need to get 'caught up' in these forms of mediation. In recent years alcohol brands have significantly re-allocated their marketing spending away from traditional advertising (Nicholls 2012) to social media where the resources invested create interactions that brands and consumers then mediate and circulate online. It is arguably more effective for brands to just position themselves in a way that they will become part of these practices and to stimulate them to ensure that the consumption of alcohol, the

enjoyment of cultural performances and identities, and the mediation of those experiences on social media become interrelated.

An example of how alcohol brands 'stimulate' the mediation of nightlife in a way that benefits them is by engaging young people as so-called nightlife photographers. These nightlife photographers take photos in popular venues and upload them, often on blogs and social media platforms that directly link with their audience. The alcohol brand becomes part of a series of images about fashion, 'hot' and 'cool' people, bands and DJs and the social antics of nightlife. The activities of these photographers also stimulate the general mediation of nightlife by consumers themselves. The more the online mediation of party experiences becomes a 'natural' cultural practice, the more brands manage to get alongside people and 'normalise' their presence even in settings that go beyond nightlife venues and 'typical' consumption contexts. The brand uses social media to amplify the mediation of everyday cultural practices of which it is a part. Therefore, an image taken at such events is not just an advertisement that contains meaning. It is also a device that holds in place a network of social connections between people, brands, cultural experiences and social spaces. As these images are circulated, clicked, liked, tagged and commented upon they facilitate the circulation of the brand through social networks, and connect material cultural spaces and everyday life to the mediation of the brand online.

Implications for alcohol marketing regulation
VB's and Smirnoff's social media strategies illustrate that clear distinctions between advertising and other forms of below-the-line promotions have become obsolete. Regulatory policies need to acknowledge that brand messages are often created via interactions between consumers and brands in everyday life. They would need to address how brands use cultural life and identities as the 'raw material' for social media activities and promotions.

III. Social media: Enabling constant surveillance and real-time marketing

The more alcohol brands become embedded in everyday cultural practices and the denser the social networks they establish on social media platforms are, the more information becomes available for brands to track, segment and target consumers (Cohen, 2008; Andrejevic, 2011; Turow, 2011). This raises the important question whether – and to what extent – regulatory codes would need to consider how the relationships brands facilitate on social media platforms are interrelated with their capacities to watch and respond to consumers in real time. Although the specific cases discussed in this article do not address questions of surveillance and real-time marketing specifically, the modes of brand management we observed over our period of investigation are ones that allow for and amplify the brands' surveillance capacities.

For example, the above mentioned nightlife photographers do not just produce images that might glorify excessive drinking practices, but they also assemble networks Facebook can watch as those images get circulated via likes, clicks, tags, comments. Facebook provides brands with the capacity to undertake extensive data collection and

ever more sophisticated profiling. This information can then be used for creating personalised messages, based on the particular consumer's demographics, expressed interests, relationships and location. For example, a brand might set up a themed bar at a music festival and encourage patrons to post their own photos and check-in at the bar using their smart phones. As they do this they enable the alcohol brand not only to promote itself as part of the patron's enjoyment of the music festival, but also register that person's social identity and social network relationships in relation to the brand and the cultural context. This, for example, might enable the brand to then send live promotional messages to that person's friends' news feeds letting them know their friend is at the branded bar. Those promotional messages might offer incentives for the person to go meet their friends at the bar. Or, the next time the brand sets up a themed bar at a festival they might offer incentives for consumers who they identify as 'peer leaders' to bring their friends to the bar. Thus, the many data-mining opportunities and applications enable brands to entwine cultural practices, promotion and surveillance. Branding on social media is therefore not just about disseminating messages, but also about responding to consumers and their cultural practices, often in real time. More and more of these activities are invisible to regulators and researchers, because the Facebook pages and news feeds of particular users are not publicly accessible. Brand activity is 'hidden' in micro-level exchanges in niche peer groups.

Implications for alcohol marketing regulation
Regulators need to address how alcohol brands collect information about consumers, what kind of information they collect and how this information is being utilised for targeting consumers. This is not just a matter of consumer privacy, but of considering how surveillance enables more embedded, real-time, and below-the-line interactions with consumers that shape larger cultural and consumption practices.

Conclusion
Understanding how alcohol marketing works on social media platforms like Facebook is a necessary first step to reforming alcohol marketing regulations and policies. This article has argued that regulatory regimes that continue to focus on the interpretation of individual media texts and on banning particular marketing messages or their placement are not going to be productive in a social media environment because this approach mis-specifies how brands use these platforms for branding and consumer engagement. Branding on social media provides brands with the opportunity to create, amplify and exploit cultural practices. Fundamentally, regulators need to acknowledge that modern forms of branding bring together popular culture, material spaces, social media, mobile devices and surveillance capacities that allow for location-based targeting in a way that engages young drinkers in a continuous incorporation of the brand into their everyday life, peer networks, identity and cultural experiences. These practices require new regulatory responses that go beyond examining only the specific content of promotional texts. What is needed is a regulatory approach that recognises that an alcohol brand is not contained within advertisements, but is mediated out of the interaction between brands, cultural intermediaries and consumers. Ultimately, regulatory regimes might therefore also benefit from rethinking the harms that alcohol causes. These are not just physical in form of poor health or violence, but also cultural.

Alcohol branding does not only affect consumers of those particular brands but also the quality of our public spaces, public lives and cultural pastimes. It is a question of the common good and should be regulated as such.

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[i] These include the UK Committee on Advertising Practice (CAP 2011), the Portman Group (Portman Group 2009) and the American spirits industry self-regulator DISCUS (2011).
[ii] For example, recent research by comScore, a company specialized in digital business analytics, has shown that most leading brands on Facebook achieve an average amplification ratio of between 0.5 and 2.0. This means that in addition to reaching their fans they extend the reach of their communication to friends of these fans by 50 – 200% (comScore 2012).