



Alcohol Sector

November 2024

Guide to spirits advertising

Advertising restrictions for spirits

The guide consists of implementing provisions concerning alcohol law. It is published in the interests of uniform application of the law.

Preamble

"The basic idea behind alcohol law and its advertising regulations for distilled spirits is to reduce consumption in keeping with the health policy objectives."

Alcohol Appeals Commission, 2001

"The intent and purpose of the alcohol law advertising provisions is to ensure that advertising remains factual and informative for the audience (e.g. stating the quantity, age, alcohol content, etc.) and does not, by presenting a lifestyle that is considered positive and desirable, convey the message that consuming the particular spirit is the ultimate goal."

Federal Administrative Court, 2001



Guide to spirits advertising

Preamble	2
1 Changes	5
2 General.....	5
3 Scope	5
3.1 Material scope of application.....	5
3.2 Territorial scope of application.....	5
3.3 Personal scope of application.....	6
4 Trade provisions in the Alcohol Act.....	6
5 Terminology.....	6
5.1 Advertising	6
5.2 Point of sale	6
5.3 B2B vs. B2C.....	6
5.4 Permitted vs. not permitted	7
6 Total advertising bans.....	8
7 Design of bottles and labels.....	9
8 Product-related advertising	10
8.1 Imagery.....	11
8.1.1 Depiction of the product.....	11
8.1.2 Serving suggestions	13
8.1.3 Objects	14
8.1.4 Counter area.....	15
8.1.5 Portrayals of people.....	16
8.1.6 Image background.....	18
8.1.7 Origin.....	19
8.1.8 Company history and commitments.....	20
8.1.9 Production	21
8.1.10 Raw materials.....	22
8.1.11 Raw materials in nature	23
8.1.12 Visual representation of tasting notes	24
8.1.13 Landscape images	25
8.2 Wording	26
8.2.1 Product descriptions	26
8.2.2 Perceptible product characteristics	26
8.2.3 Slogans	27
8.2.4 Cocktail names incl. recipes	28
8.2.5 Foreign languages.....	28
8.3 Sound	28
9 Ban on promises of benefits	29

Guide to spirits advertising

9.1	Discounts, benefits.....	29
9.2	Price comparisons.....	29
9.3	Visual indications of benefits.....	30
9.4	Reference to free additional items.....	31
9.5	Promotional terms.....	32
10	Special cases.....	34
10.1	Branding of consumer goods.....	34
10.2	Special rules at the POS.....	36
10.3	Packaging.....	36
10.4	Additional items.....	38
10.5	Limited/special editions and second versions.....	39
10.6	Awards and prizes.....	41
10.7	Competitions.....	41
10.8	Sponsorship.....	41
10.8.1	Identical company name and spirits brand.....	42
10.8.2	Company name and spirits brand not identical.....	43
10.9	Internet/social media.....	43
10.9.1	Principle.....	43
10.9.2	Scope of the advertising regulations.....	43
10.9.3	Product placement.....	44
10.9.4	Influencer marketing.....	44
10.9.5	Banner, skyscraper and other advertising blocks.....	44
10.9.6	Responsibility of the site or account owner.....	44
10.9.7	Links/hashtags.....	44
11	Contact.....	45
12	Advertisement review.....	45

1 Changes

Version	Date	Chapter	Section	Changes
2.0	01.09.2024	All	All	Editorial changes New structure
		8	8.1.5	New rules for depicting body parts
			8.1.5.1	Special rules for spirits manufacturers
			8.1.5.2	Special rules for beverage preparation (bartender rules)
			8.1.8	Company history and commitments: clarifications
		10	10.8	Sponsorship: new rule; note on trademark law
10.9.3	Product placement: new section			

2 General

Advertising for distilled spirits (hereafter referred to as spirits advertising) is restricted under [Article 42b of the Alcohol Act](#) (AlcA; SR 680).

This guide is intended for anyone (producers, wholesalers, retailers, advertising agencies, restaurateurs, influencers, etc.) who advertises spirits, regardless of the medium used. It contains the most important advertising restrictions that have to be observed when designing spirits advertising.

3 Scope

3.1 Material scope of application

The advertising provisions apply to:

- Pomaceous fruit, speciality brandy, cognac, whisky, vodka, gin, etc.
- Liqueur, sweet wine, port wine, vermouth, aperitifs and bitter spirits, etc.
- Alcopops, mixed drinks containing spirits, etc.

The advertising restrictions do not apply to alcoholic beverages such as beer, champagne, wine, cider and fruit wine. However, the advertising restrictions do apply to these products if the wine has more than 15% ABV (cider and fruit wine) or 18% ABV (wine made from grapes).

If a beverage contains spirits, it is automatically subject to the advertising restrictions, regardless of its alcohol content.

The advertising restrictions apply to foodstuffs containing spirits if the spirits account for more than 6% of the total weight of the product.

3.2 Territorial scope of application

The advertising regulations of the Alcohol Act apply to advertising that has an impact in Switzerland (principle of territoriality). Foreign advertising is subject to the provisions if it is aimed directly at a Swiss audience. Brochures of foreign providers that are deliberately

Guide to spirits advertising

distributed in Switzerland must therefore comply with the advertising regulations. The principle of territoriality also applies to advertising on the internet and on social media platforms.

3.3 Personal scope of application

The advertising provisions apply only to end consumers, not to wholesalers. However, they also apply to wholesalers who cannot rule out the possibility of end consumers being among their customers. The advertising provisions do not apply to advertising aimed at bar staff or retailers.

4 Trade provisions in the Alcohol Act

The provisions of [Article 41 of the Alca](#) prescribe territorial, material and personal trade bans for spirits. For example, "sale on public streets and squares and via generally accessible vending machines" is prohibited. Individual provisions are an important addition to the advertising regulations. These include, for example, the ban on "granting additional items and discounts" as a loss leader or the ban on distributing spirits for free during tastings.

The cantons are responsible for enforcing the trade regulations.

5 Terminology

5.1 Advertising

The term "advertising" is not defined in the Alcohol Act. However, according to case law, the purpose of [Article 42b of the Alca](#) requires *broad* interpretation the term "spirits advertising". The advertising restrictions therefore apply to all advertising that is (also) aimed directly at a Swiss audience. "Spirits advertising" is understood to mean all communication measures for the purpose of promoting sales and gaining market share. This means that the advertising restrictions apply not only to paid advertising, but to all communication measures; for example, also to company websites or organic social media posts.

5.2 Point of sale



For the purposes of this guide, the point of sale (POS) is the place where spirits are offered for sale (wholesale and retail outlets, catering establishments, kiosks, online shops, etc.). In the case of online shops, the POS is where the customer can click on "Add to cart", "Buy now" or a similar button.

5.3 B2B vs. B2C

The abbreviation B2B (business to business) is used to describe business relationships between companies (wholesalers). These differ from relationships between businesses and end consumers, i.e. B2C (business to consumer).

Guide to spirits advertising

5.4 Permitted vs. not permitted

- Permitted:  : Spirits advertising is permitted.
- Not permitted:  : Spirits advertising is not permitted.

6 Total advertising bans

In the following circumstances, spirits advertising is prohibited in all cases under [Article 42b paragraph 3 of the Alca](#).

- On the radio and television All forms of streaming services are likewise included

- In and on buildings or parts of buildings used for public purposes and on their premises Public buildings are buildings owned by the public sector or private parties that serve the public and are generally freely accessible to everyone. This applies in particular to:
 - public administration buildings
 - post offices
 - airports*
 - train stations*, bus stations*, bus/tram stops
 - school buildings
 - sports facilities (buildings); multi-purpose halls
 - arts and leisure centres, theatres, cinemas, youth clubs
 - churches
 - retail outlets*, shopping centres*
 - hospitals, care homes, health centres

**excluding areas where food and beverages are served and those where spirits are sold*

- In and on public transport Buses, trains, postal buses, trams, cable cars, etc., including at stops and stations

- At sports grounds and sporting events

- At events attended primarily by children and young people or that are intended mainly for them

- In companies that sell therapeutic products or whose business activities are primarily geared towards health care

- On packaging and consumer items that do not contain distilled spirits or are not associated with them; see section 10.1

In addition, food law prohibits "all advertising of alcoholic beverages that is aimed specifically at young people under the age of 18" (see [Art. 43 of the Foodstuffs and Utility Articles Ordinance: FUAO: SR 817.02](#)).

7 Design of bottles and labels

Bottle and label design is generally unrestricted. However, the protection of minors and public order as well as the provisions on limited/special editions and second versions must be observed. These regulations also apply to sleeves (labels that cover the entire bottle).

The advertising regulations under food law must be observed also when designing labels (see [Art. 43 of the FUAO](#)). These fall under the jurisdiction of the cantons: www.kantonschemiker.ch.



Sleeves are allowed

8 Product-related advertising

Advertising for spirits may "only contain information and representations in words, imagery and sound which refer directly to the product and its properties" ([Art. 42b para. 1 of the AlcA](#)). This means that advertising must be factual, i.e. product-related. It is permitted to depict the spirit, its production, its ingredients and its properties.

The following are not permitted:

- Portrayals of the consumption of spirits
- Any form of advertising that conveys a particular lifestyle; therefore, the advertising may not suggest that drinking spirits brings advantages in life, e.g. more career success, more recognition, better quality of life, etc.
- References to health benefits (e.g. aids digestion, invigorates)



Lifestyle advertising



There is no objective link between the guitar and the spirit

8.1 Imagery

8.1.1 Depiction of the product

Irrespective of their design, spirits products may be depicted in advertising. Restrictions apply in the case of limited/special editions and second versions.

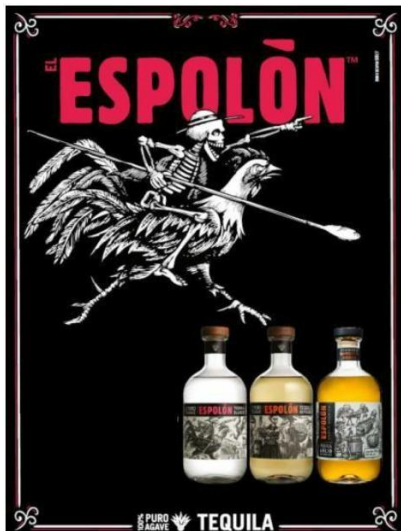
Since spirits brands have distinctive labels, the picture element used to identify the brand may be used as a design element in advertising (e.g. the bat for Bacardi). This element must be faithfully reproduced. It may be resized, but the shape and colour generally may not be changed. The same distinctive element must always be used for a particular brand.

A special distinguishing feature is a graphic element of the front label that consumers typically associate with the brand.

If the distinguishing feature consists of the image of the entire front label, its assessment falls under the general advertising law assessment and possibly cannot be used in advertising.

The following are not permitted:

- Special brand features may not be depicted on their own in advertising, i.e. without the product. It must be clear that the feature is part of the label.

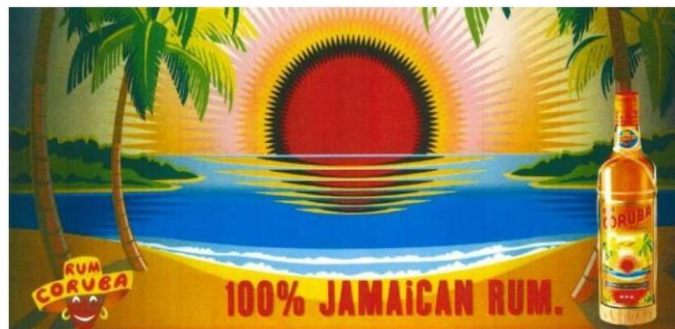
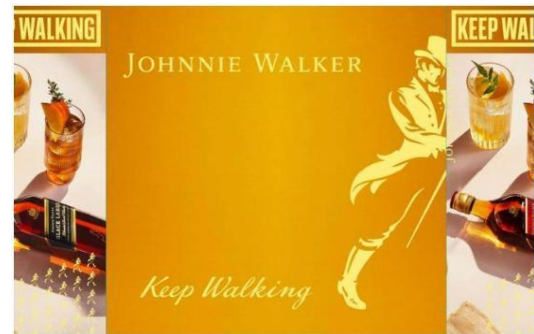


The special brand feature may only be depicted together with the product

Guide to spirits advertising



Multiple distinguishing features are not allowed



The entire label may not be depicted, as a landscape is shown in this case

Guide to spirits advertising

8.1.2 Serving suggestions

Filled glasses, cocktails or individual ingredients (e.g. lemons, ice cubes, straws, mint leaves) may be depicted.



Images of appetisers and snacks that are consumed with spirits



Guide to spirits advertising

8.1.3 Objects

Objects that are actually related to the spirit may be depicted, e.g. cocktail glasses, shakers, straws, stirrers, ice cubes, bar mats, bartender's apron, etc.



Guide to spirits advertising

8.1.4 Counter area

The counter area in bars, clubs, etc. may be depicted, but must be focused on the bar counter with a bar view.

The following are not permitted:

- Non-product-related settings, e.g. a beach and especially scenes showing people consuming the product



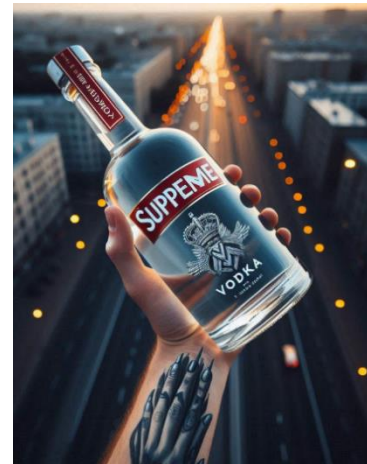
Guide to spirits advertising

8.1.5 Portrayals of people

Portrayals that convey a particular lifestyle or can be associated with ideals are not permitted. For this reason, it is generally prohibited to show people in spirits advertising.

The following are not permitted:

- Images of people and individual body parts



8.1.5.1 Special rules for spirits manufacturers

It is permitted to depict executives and founders of companies that produce spirits, as well as people who work in production (e.g. master distillers, blendmasters), provided that they are authentic and the context is objective and related to the product/production.

The following is not permitted:

- Merely staging people without any objective link with the product or production



(Photo: juliantse.com)

Guide to spirits advertising

8.1.5.2 Special rules for beverage preparation (bartender rules)

It is permitted to depict individual body parts of bartenders, as long as the image focuses on the preparation of the drink.

The following is not permitted:

- Showing the face of bartenders



The image of the bartender focuses on the preparation of the drink and not on the person

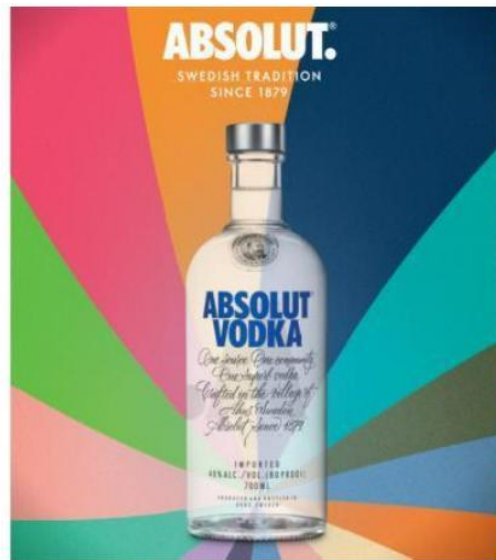


The bartender's face is shown

Guide to spirits advertising

8.1.6 Image background

Design elements may be used for the image background if they are factual or product-related, e.g. in the form of stylised botanicals. An abstract background design with patterns is permitted, but it may not make reference to anything that is unrelated to the product (e.g. seasons, public holidays, occasions, leisure, holidays, art, etc.) or evoke ideals (lifestyle).



Guide to spirits advertising

8.1.7 Origin

It is permitted to display flags and maps that focus on the country or region of origin/production of a spirit.

The following is not permitted:

- The portrayal of landscapes alone. The proportion of factual, product-related imagery must clearly be dominant.



The non-product-related landscape image predominates



Guide to spirits advertising

8.1.8 Company history and commitments

Factual information on the product/production area is permitted.

The following are not permitted:

- References to a company's commitment to social and ecological issues, as well as to animal protection programmes or similar, as there is no direct, objective link



Authentic production situation



Consumer scene; no direct product reference

Guide to spirits advertising

8.1.9 Production

It is permitted to show production processes, distillery facilities, company buildings (especially production buildings and warehouses), bottling, etc. Personnel involved in the production process may be shown if this is authentic (e.g. master distiller, blendmaster) and no irrelevant reference is made. It is also permitted to show the company founders, provided that the portrayal is factual and production-related.

Pictures of the production facilities must focus on the (distillery) buildings (not just on a landscape). The proportion of factual, product-related imagery must clearly be dominant.

The following is not permitted:

- Merely staging people without any objective link with the product or production



The image does not focus enough on the production facility



(Photo: juliantse.com)



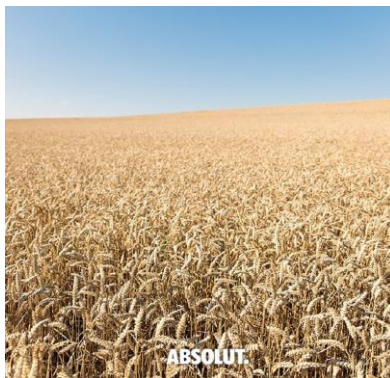
Guide to spirits advertising

8.1.10 Raw materials

It is permitted to depict raw materials (fruits, grains, etc.) and ingredients (e.g. herbs, spices, botanicals). Images of raw material production (e.g. herb field, grain field) must be focused on the raw materials (not just on a landscape). Images of processed raw materials are permitted as long as no unrelated reference is made. The specific case is decisive. The proportion of factual, product-related imagery must clearly be dominant.



The landscape unrelated to the raw material clearly predominates



The landscape related to the raw material clearly predominates



Images of processed raw materials are generally permitted

Guide to spirits advertising

8.1.11 Raw materials in nature

It is permitted to depict raw materials in nature: fruit-bearing plants, vines, herb/grain fields, etc. Here too, landscape images alone are not allowed. The proportion of factual, product-related imagery must clearly be dominant.



Guide to spirits advertising

8.1.12 Visual representation of tasting notes

Tasting notes may be depicted only if they refer directly to raw materials contained in the product.

Examples:

- "Smells like sea breeze" → picture of the sea with beach: 😞
- "Smells like a meadow of flowers" → picture of a meadow of flowers: 😞
- "Smoky" as text: 😊
- "Smoky" as image: 😞



Rum does not "smoke"

Guide to spirits advertising

8.1.13 Landscape images

Images of entire landscapes are generally not allowed, as they are not directly product-related. Images of production facilities must focus on the building. The proportion of factual, product-related imagery must clearly be dominant.



The image does not focus enough on the production facility



The image focuses on the raw material, vines



Objectively, there is no direct link between the mountains and the product

8.2 Wording

8.2.1 Product descriptions

Product descriptions that refer to the founders, the production site/process, storage, ingredients, etc. are allowed. The description of the company history must be limited to historical, factual information about the product and production area.

The following is not permitted:

- Historical advertising that is neither factual nor product-related



8.2.2 Perceptible product characteristics

Generally accepted tasting notes that use tasting terms and do not evoke any inappropriate associations are allowed.

The following are not permitted:

- Imperceptible product characteristics such as royal, dramatic, overwhelming, explosive, etc.

FARBE	Golden, mit roten Reflexen
DUFT	Reich, mit einem Aroma von reifen Birnen
GESCHMACK	Aroma von gereiften Birnen, würzigen Orangen und Honig sowie Nuancen von Eiche und Vanille
ABGANG	Intensiv und persistent



Guide to spirits advertising

8.2.3 Slogans

Factual, product-related slogans are allowed.

The following are not permitted:

- Non-product-related slogans, such as "XY vodka – time to party!", "XY – the gin for trendy people"
- Personification, such as "The favourite of all whisky fans", "XY – the pop star of vodkas", "Three upstanding Swiss"
- Plays on words, such as "XY for GINspired times", "Raise a glass to RUMarkable moments", "Let the fun beGIN"
- Incentives to drink and buy, such as "Cheers!", "Bottoms up!", "belongs in every cocktail bar", "a must for whisky lovers", "your favourite whisky"
- References to special occasions/public holidays/theme days and seasons, such as "a perfect birthday present", "XY, the egg liqueur for Easter", "the gin for the Football World Cup", "the perfect summer cocktail"
- Consumption-related descriptive terms, such as "enjoyment/enjoyable", as they are consumption-related rather than directly product-related



"Made to celebrate" is subjective and not product-related

Guide to spirits advertising

8.2.4 Cocktail names incl. recipes

Cocktail names are often made up and have no real bearing on the spirits. That is why cocktail names must always be used together with the recipe in advertising.



Cocktail name without recipe



Cocktail name with recipe

8.2.5 Foreign languages

In the case of translations, the most common meaning in Switzerland, as interpreted by the average consumer, is decisive.

The following, for example, are not permitted:

- "Deal": can be interpreted as a discount
- "Sale": equated with clearance, and thus with a discount

8.3 Sound

Advertising videos may be accompanied by "neutral" music or background noise that does not evoke associations with particular situations in life (e.g. holidays, celebrations, etc.). Sounds that are made when mixing a drink are permitted.

The following, for example, are not permitted:

- The sound of voices and clinking of glasses while toasting in a bar
- "Martini" video with "James Bond" film music, etc.

9 Ban on promises of benefits

Price-comparison information or promises of additional items or other benefits are prohibited ([Art. 42b para. 2 of the Alca](#)). This means that any reference to a price advantage for spirits is prohibited. The perception of the average consumer is decisive.

9.1 Discounts, benefits



9.2 Price comparisons



Guide to spirits advertising

9.3 Visual indications of benefits

Promotional terms such as "Offer" or "Special" are allowed, provided that they differ graphically and in terms of font from promotional references for other products. In addition, the font size must be smaller.

The following is not permitted:

- Emphasising the price (e.g. by means of colour and/or typeface) in a way that could lead customers to assume that a discounted offer is available

9.85 pro Flasche

13.80 pro Flasche

APEROL Grapefruit Spritz

REZEPT

4 cl Aperol
4 cl Pink Grapefruit-Saft
4 cl Prosecco
1 Orange- oder Zitrus-Scheibe
Garnitur: Orangenscheibchen

Oben kalt aufblenden mit Eis,
Aperol und Orange/Saft hinzugeben
und vorsichtig mit Prosecco auffüllen.
Orangenscheibchen als Dekoration
verwenden.

BIS 31% RABATT

statt **9.99**
pro Flasche

6.90
ab 48 Flaschen

7.90
ab 24 Flaschen

8.50
ab 12 Flaschen

8.90
ab 6 Flaschen

APEROL
11.0% Vol. & 170 cl Glas EWK
SAP-Nr.: 40257

APEROL
11.0% Vol. & 100 cl Glas EWK
SAP-Nr.: 16242

CAMPARI
18.90 pro Flasche

CYNAR
15.85 pro Flasche

51
19.70 pro Flasche

PROSECCO
EXTRA DRY

CAMPARI-BITTER
23.0% Vol. & 100 cl Glas EWK
SAP-Nr.: 22541

CYNAR
18.0% Vol. & 100 cl Glas EWK
SAP-Nr.: 22540

CA. OMA G.A. 51
40.0% Vol. & 170 cl Glas EWK
SAP-Nr.: 39222

PROSECCO SPUMANTE DOC - CONTESSA GIULIA
6.170 cl Glas EWK
SAP-Nr.: 40623



DRINKS & SNACKS

Smirnoff Vodka
37.5% Vol., 750 cl

Aperol Bitter
11% Vol., 70 cl

HIT!

15.70

11.50

Bacardi
40% Vol., 750 cl

Cachaça de Brasil
40% Vol., 750 cl

Glenn Grant Single Malt Scotch Whisky
40% Vol., 750 cl

15.95

16.95

19.95

Biga Döner
gerne mit Gemüse, 500 g

Four-All Family Pack
Original, 200 g

Zeus! Wave Chips Italien
1 x 100 g

Malteser Malted Cereal
1 x 100 g

SPECIAL
3.95

20%
3.75

20%
4.45 statt 5.50

26%
7.95 statt 10.50

*Kalkulationsvergleich



Guide to spirits advertising

9.4 Reference to free additional items

It must be clear that the additional item is included in the price. Additional items may be advertised using terms such as "with", "+", "including" or "set".

The following are not permitted:

- References such as "free" or "at no extra cost", etc. It is important that consumers do not get the impression that they are getting the additional item for free.



"43.95 with cocktail glass": the additional item is included in the price



The additional item is included in the price

9.5 Promotional terms

Promotional terms that do not promise a price advantage, such as "current", "(seasonal) hit", "bestseller", "top seller", "cheap", "(permanently) low price", "permanent price reduction", "as long as stocks last", "valid from", etc., are allowed.

The following are not permitted:

- Promotional terms which promise a price advantage, such as "special offer", "reduced price", "bargain price", "hit price", "top price", "introductory price", "cheaper", "special/top offer", "offer valid from to ", "only for a short time", "one-time/exclusive offer", etc.
- References to a limited-time offer
- Happy hours and free drinks: all forms of happy hour offers (e.g. "five-franc evening", "five-franc Friday", "all drinks 5 francs") or references to free drinks (e.g. "ladies' night", "welcome drink") which do not expressly exclude spirits are not permitted



In the case of offers that are valid for a limited period of time, it must be stated that spirits are excluded

Arran (Amarone Cask Finish)

CHF 61.90

04:50:54

Arran (Port Cask Finish)

CHF 61.90

04:50:54



A countdown in connection with a price indication qualifies as a limited-time offer; this is deemed to be an indication of a discount

Guide to spirits advertising



10 Special cases

10.1 Branding of consumer goods

The branding of consumer goods that are objectively related to the spirit is permitted.

In addition to the brand logo, such consumer goods may also feature factual product-related imagery and texts.

Permissible consumer goods include the following:

- Bar items such as glasses, drinking straws, jiggers, stirrers, shakers and pourers.
- Carrier bags with branding and/or product-related advertising that are made of paper, plastic, etc. may be given to customers. However, the bags may not be made of durable materials that enable them to be used for purposes other than transporting bottles. Such carrier bags are permitted only if they have fixed bottle compartments.
- Vehicles are generally considered to be non-product-related items. However, branding is permitted on delivery and representatives' vehicles that are registered to the company. This applies only to vehicles of spirits producers and distributors.
- Mobile bar vehicles are not considered to be delivery or representatives' vehicles. However, they may be used as branded bars at events (e.g. festivals) if they are linked to the alcoholic products and their design is factual.

The branding of permissible consumer goods is allowed only if their design is product-related.

The following are not permitted:

- The branding of consumer goods that objectively have no direct connection with the spirit is prohibited ([Art. 42b para. 3 let. g of the AlCA](#))
- The depiction of unobjective elements that are not product-related



Although these glasses are a product-related additional item, they bear a non-product-related artist's label (non-factual design)

Guide to spirits advertising



The glass is a product-related item and has a factual design



There is no objective link between the mobile phone case and spirits, and therefore it generally may not be branded



The branding of representatives' vehicles is allowed



The design of this vehicle, in the form of a distillery, is product-related



There is no objective link between this cement lorry and spirits

Guide to spirits advertising

10.2 Special rules at the POS

Since the POS is usually visited by customers with the intention of buying, the advertising regulations in this area are applied less strictly. For this reason, the following special rules apply at the POS:

- Non-product-related packaging may be offered
- Non-product-related special editions and second versions may be sold
- However, other advertising materials such as displays, neck hangers, shelf stoppers, posters, etc. must be product-related also at the POS
- Promises of discounts or references to free additional items and any kind of competition are not allowed at the POS either

The same provisions apply to online shops as to physical shops.

10.3 Packaging

Only product-related packaging (form and overprint) may be used in advertising. By contrast, non-product-related packaging may also be offered at the POS, but only if it does not include a reference to a discount or a competition.

Packaging with added value and a product connection (e.g. a cocktail shaker) may be sold and advertised.

The following are not permitted:

- Packaging with added value but no product connection (e.g. a lantern).



Advertising: 😊

POS: 😊



Advertising: 😞

This packaging may not be advertised, as its design is not factual

POS: 😊

This packaging may be offered at the POS

Guide to spirits advertising



Advertising: 😊

POS: 😊

A cocktail shaker is allowed as packaging



Advertising: 😞

POS: 😞

Packaging in the form of a lantern is prohibited, as there is no objective link with the spirit



Advertising: 😞

POS: 😞

Packaging made of wood, metal or fabric is permitted at the POS if it does not obviously have an unrelated additional use, such as a wooden lantern

Guide to spirits advertising

10.4 Additional items

Additional items are consumer goods that are sold together with a spirit. Under the Alcohol Act, additional items are generally prohibited in spirits marketing ([Art. 41 para. 1 let. h of the Alca](#) and [Art. 42b para. 2 of the Alca](#)). Additional items of minor value up to a maximum of 10% of the value of the goods are permitted if they have an objective link with the spirit and a product-related design.

Examples: stirrers, jiggers, glasses, drinking straws, pourers, sample bottles of spirits

The branding of product-related additional items is allowed, but they may not be advertised with terms such as "free", "at no extra cost", etc. By contrast, references such as "with", "including" or "set" are permitted. It is important that consumers do not get the impression that they are getting the additional item for free. It must be clear that the additional item is included in the price.



A flash drive is not allowed as an additional item, as there is no objective link with the spirit



Guide to spirits advertising

10.5 Limited/special editions and second versions

Spirits are often marketed in specially designed limited/special editions and second versions. These may be promoted only if their design is factual and product-related (including the label).

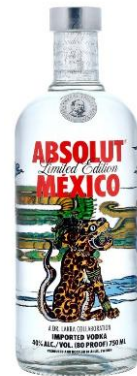
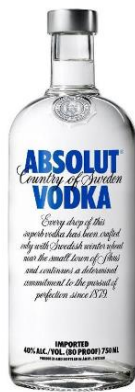
Exception: non-factual and non-product-related editions may still be offered at the point of sale (POS). However, advertising for such editions must be factual and product-related also at the POS (e.g. shelf stoppers, displays).

Second versions are not allowed as temporary editions in advertising. Exceptions can be made for pseudo second versions, i.e. those that are more permanent in nature.

The following are not permitted:

- Non-product-related editions, in particular event-related editions (e.g. football World Cup, public holidays) or artist editions

"Standard version" "Limited editions"



Advertising: 😊
POS: 😊

Advertising: 😊
POS: 😊

Advertising: 😞
POS: 😊

"Limited editions"



Advertising: 😞
POS: 😊

The spirits bottles ("Football Edition") with their non-factual design may be offered



Advertising: 😞

POS: 😞

The non-factually designed display is prohibited at the POS as well

"Artist editions"



Advertising: 😞

The reference to rapper Eko Fresh is not factual

POS: 😊

Artist editions may be offered at the POS



Advertising: 😊

The spirit may be advertised without reference to Eko Fresh

POS: 😊

10.6 Awards and prizes

Official awards and prizes for products may be mentioned in words and imagery. Company or product anniversaries such as "100 years of product XY" may also be communicated.



10.7 Competitions

No competitions may be held in which spirits are used as publicity material or as a prize, or in which their purchase is a condition of participation ([Art. 42b para. 4 of the Alca](#)). This also applies to prize draws and competitions of all kinds. For example, prize draws for festival tickets by a spirits manufacturer/distributor, provided there is a link with spirits.

10.8 Sponsorship

In connection with spirits, only corporate sponsorship is allowed, provided that the special conditions of sections 10.8.1 and 10.8.2 are met. The total advertising bans mentioned in section 6 also apply to sponsorship.

The following are not permitted:

- Use of brand logos
- Non-factual, non-product-related additions and product images, even if these are entered in the trademark register
- All other types of sponsorship, especially product/brand sponsorship

Note on trademark law:

The use of registered trademarks for spirits advertising is subject to the advertising regulations of the Alcohol Act. This means that registering a trademark for spirits does not give the owner the right to use the trademark for advertising purposes without restriction. In particular, advertising for spirits may only contain information and representations that relate directly to the product and its properties.

10.8.1 Identical company name and spirits brand

The company name contains a reference to a spirits brand or is identical to it. In this case, the company name may only be used precisely as it is entered in the commercial register, including the indication of the legal form (AG, GmbH, etc.). In addition, a "neutral" font must be used, i.e. a font that clearly differs from that used in the original logo.

Bacardi-Martini (Schweiz) AG



Campari Schweiz AG



Appenzeller Alpenbitter AG



Etter Söhne AG



S. Fassbind AG



10.8.2 Company name and spirits brand not identical

The company name contains no reference to a spirits brand. In this case, the original company logo may be used.



However, companies whose names do not contain any reference to a spirits brand also have the option of adding a descriptor to indicate their commercial activity. In this case, though, the company name must be used precisely as it is entered in the commercial register, including the legal form (AG, GmbH, etc.). In addition, a "neutral" font is to be used, i.e. a font that clearly differs from that used in the original logo.

Dettling & Marmot AG
Wines and spirits



The addition of "WINES AND SPIRITS" in connection with the original logo is not permitted

10.9 Internet/social media

10.9.1 Principle

What applies offline also applies online. This means that the same provisions apply to advertising on the internet and on social media platforms as to advertising in print media.

Automatic redirects, e.g. to a freely designed foreign website, are prohibited. Similarly, a link to (unauthorised) product information when a product is sold is prohibited.

10.9.2 Scope of the advertising regulations

The advertising regulations apply if the website/social media account or part thereof is aimed primarily at a Swiss audience.

The advertising restrictions do not apply to internationally oriented websites/social media accounts. The assessment of whether a website/account is nationally or internationally oriented is based on the following criteria:

- Web domain (.ch/.com): Swiss reference in the account name (e.g. xxxxxxxxxxx.ch; xxxx.switzerland)

Guide to spirits advertising

- Country selection
- Product availability in Switzerland
- Language
- Prices (in CHF or foreign currency, whereby the product must be invoiced in the currency in which it was advertised)
- Content-related reference

The overall impression is decisive for the assessment.

10.9.3 Product placement

The placement of spirits in electronic and other media (films, influencer posts, etc.) is not allowed.



10.9.4 Influencer marketing

Influencer marketing for distilled spirits is also subject to the advertising provisions of the Alcohol Act. Corresponding contributions by influencers may therefore only contain information and representations in words, imagery and sound which refer directly to the product and its properties. Due to references in this type of advertising to the lifestyle of influencers, influencer marketing for spirits is generally not permitted.

10.9.5 Banner, skyscraper and other advertising blocks

Banner, skyscraper and other advertising blocks for spirits on websites aimed at a Swiss audience must be clearly distinguishable graphically from the rest of the website content.

10.9.6 Responsibility of the site or account owner

The owner of a website/social media account is responsible for ensuring that the content complies with the law. They have to ensure that non-product-related third-party posts are deleted.

10.9.7 Links/hashtags

The wording of links/hashtags must be product-related.

Examples:

- #vodkafrompoland 😊
- #be_happy_drink_rum 😞

11 Contact

Federal Office for Customs and Border Security FOCBS
Alcohol Sector
Route de la Mandchourie 25
2800 Delémont

Tel.: +41 58 462 65 00

Email: alkohol@bazg.admin.ch

Website: <https://www.bazg.admin.ch/bazg/en/home/topics/alkohol.html>

12 Advertisement review

Advertising material can be submitted to the FOCBS for review before publication via the [advertising portal](#) on the FOCBS website (<http://www.bazg.admin.ch> > Topics > Alcohol > Advertising > Advertisement submission).

If you notice an advertising offence, you can report it to us (anonymously if you wish) using the [reporting form](#) on our website (<http://www.bazg.admin.ch> > Topics > Alcohol > Advertising > Report advertising offence).